



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.00 p.m. – 6.40 p.m.**

**Gibraltar, Thursday, 22nd March 2018**

## **Contents**

Communications from the Chair .....	3
Estimates of expenditure for next financial year – Agreed to be circulated confidentially by 30th April .....	3
<b>Questions for Oral Answer .....</b>	<b>3</b>
Environment, Energy, Climate Change and Education.....	3
Q214/2018 Criminal acts by students on teachers – Complaints to Police in last 24 months.	3
Q215/2018 Referrals made by schools to Social Services – Number in last 24 months .....	4
Q216/2018 Foundation degrees/programmes – Funding policy .....	5
Q217-218/2018 Students unable to complete UK studies due to mental health issues – Numbers; refunds of awards .....	6
Q219/2018 Vacant teaching posts – Update.....	7
Q220/2018 Community facilities – Cancellations.....	8
Q221-233/2018 Transitioning to new schools – Details.....	9
Q220/2018 Community facilities – Supplementary questions.....	18
Q234-235/2018 Hot school lunches – Operation and costs.....	18
Q236-237/2018 Children with special needs – Number attending Government schools; learning support .....	19
Q238/2018 First, Middle and Secondary schools – Pupils enrolled since 2011 .....	20
Q239-240/2018 Education Department expenditure and requests – Detailed breakdown since 2012 .....	21
Q241/2018 E-registration for secondary school pupils – Introduction.....	22

Q242/2018 Gibdock lease – Renewal date; environmental restrictions .....	23
Q243/2018 Updated schedule of payments made – Including Commonwealth Park and Alameda Gardens .....	24
Q244/2018 Maintenance of planted areas – Tender process .....	25
Q245/2018 North Front Cemetery – Maintenance costs and contractor .....	25
Q244/2018 Maintenance of planted areas – .....	26
Tender process Supplementary question .....	26
Health, Care and Justice.....	26
Q246-249/2018 GHA Board meetings – Financial reports; National Dementia Committee; .....	26
Q250-258/2018 Inpatients at foreign hospitals; agency health workers; claims against GHA; Primary Care waiting times– Breakdown of numbers .....	35
<i>The House recessed for 20 minutes.</i> .....	48
Q259-260/2018 Hearing aids – Details of devices, needs assessments and costs .....	48
Q261/2018 Primary Care Centre proposed move – Public consultation.....	50
Q262-264/2018 GHA services – Repatriation; children’s alcohol/drug misuse and mental health .....	51
Q265-266/2018 Children in care or with behavioural issues – Length of time in care; assistance for families .....	54
Q267/2018 Tobacco-related offences – Persons detained in last 24 months.....	54
Housing and Equality .....	55
Q268/2018 Charles Bruzon House – Policy on interior modifications by residents .....	55
Health, Care and Justice.....	58
Q267/2018 Tobacco-related offences – Supplementary question.....	58
Housing and Equality .....	58
Q269/2018 Rental homes – Plans to build more .....	58
Q270/2018 Varyl Begg Estate flats – Damp issues.....	59
Q271/2018 Government flats – Details of sales since 2011 .....	60
Tourism, Employment, Commercial Aviation and the Port .....	62
Q286/2018 Ocean Spa Plaza scaffolding collapse – Health and safety investigation.....	62
Q287/2018 Waterport Place falling metal sheet – Health and safety investigation .....	64
Q288/2018 Visitor expenditure– Monthly figures for 2017 .....	64
Q289-290/2018 University of Gibraltar Act 2015 – General borrowing; land mortgage .....	64
Adjournment.....	65
<i>The House adjourned at 6.40 p.m.</i> .....	65

# The Gibraltar Parliament

*The Parliament met at 3.00 p.m.*

[MR SPEAKER: Hon. A J Canepa GMH OBE *in the Chair*]

[CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

## COMMUNICATIONS FROM THE CHAIR

### **Estimates of expenditure for next financial year – Agreed to be circulated confidentially by 30th April**

**Clerk:** Meeting of Parliament, Thursday, 22nd March 2018.  
(iii) Communications from the Chair.

5 **Mr Speaker:** As hon. Members are aware, it is a requirement under section 69(1) of the Constitution that the estimates of expenditure for the next financial year be circulated to hon. Members, on a confidential basis, not later than 30th April.

Since the House is not due to meet next month, I am proposing that the provisions of the Constitution will be deemed to have been met if the estimates are circulated to all hon.  
10 Members before the end of April. This is what we have been doing for the last few years and so I propose that it should be the case again for this year. Is that agreed?

**Members:** Agreed.

## Questions for Oral Answer

### ENVIRONMENT, ENERGY, CLIMATE CHANGE AND EDUCATION

**Q214/2018**

#### **Criminal acts by students on teachers – Complaints to Police in last 24 months**

15 **Clerk:** We now continue with Answers to Oral Questions. We commence with Question 214, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, can the Government confirm the number of complaints made by our schools to the Royal Gibraltar Police for alleged criminal acts by students on teachers in the last 24 months?  
20

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, the answer is two.

25

**Hon. E J Phillips:** Can the Minister confirm obviously not the identity of the perpetrator, but identify the offences themselves?

30

**Hon. Dr J E Cortes:** Mr Speaker, I would rather not say that across the Chamber, but I would be very happy to inform the hon. Member behind your Chair.

It might just be that by mentioning the cases it may be possible to identify the person in a place as small as Gibraltar, so I would rather not do that but I will give him the information immediately we get a chance later.

35

**Hon. E J Phillips:** Mr Speaker, I am happy for that method to be deployed in respect of this matter, but insofar as future reference is concerned, clearly we can identify categories of offences rather than individual offences themselves.

Look, if it is a sensitive issue, I am willing to take the Minister at face value and we can have the discussion behind the Speaker's Chair, Mr Speaker.

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**Hon. Dr J E Cortes:** Mr Speaker, it is a sensitive issue.

#### Q215/2018

#### Referrals made by schools to Social Services – Number in last 24 months

**Clerk:** Question 215, the Hon. E J Phillips.

45

**Hon. E J Phillips:** Can the Government state the number of referrals made by our schools to Social Services in the last 24 months?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

50

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Yes, Mr Speaker, 61 direct referrals from schools to the Care Agency.

55

**Hon. E J Phillips:** Mr Speaker, given the significant volume of referrals to the Care Agency, can the Minister confirm the category or type of complaint? Or again, is this an issue that could identify 61, 20 or 40 students themselves?

60

**Hon. Dr J E Cortes:** Mr Speaker, when we are talking about two as in the previous question, it is much easier to identify. In 61 I would not have a problem, but as I was not specifically asked that – the question clearly said the number – I do not have that information, but I would be happy to provide it for him.

I would ask him if he would not mind writing to me so that I do not leave it undone. But it is a different case where you have 61; where you have two it is easier to identify.

Thank you, Mr Speaker.

**Q216/2018**  
**Foundation degrees/programmes –**  
**Funding policy**

**Clerk:** Question 216, the Hon. E J Phillips.

65

**Hon. E J Phillips:** Can the Government state its policy in respect of the funding of foundation degrees/programmes?

70

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, foundation degrees are discretionary in nature. The exception to this is art-related courses where the only route to an undergraduate programme is via a foundation course.

75

**Hon. E J Phillips:** Mr Speaker, I may be wrong, but my memory at the moment is that the scholarship publication in the newspaper, in *The Chronicle* recently, stated that the funding of foundation programmes would not be provided and it would not be entertained as an application. Can the Minister clarify that statement in the advert to the press?

80

**Hon. Dr J E Cortes:** Mr Speaker, I cannot recall the wording of the advert, but the situation is that applicants for foundation degree courses would be considered but in a discretionary manner.

85

The problem, Mr Speaker, is that as things are developing and some universities are looking at funding and so on and are willing to provide foundation courses in cases where A-level results are not particularly good, one has to be wary of rewarding students who may not be working hard on an A-level in the belief that they are going to be allowed on a foundation course. This is why it is discretionary. There would be an element of considering the student's work during the A-level years in considering that. But I do know for a fact that they are considered and very often they are given. But in some cases, the board considers that it would not be a good investment of money.

90

**Hon. E J Phillips:** Mr Speaker, as part of the policy, does the Government consider the potential leapfrog from the foundation programme to the full degree, and in that consideration does the Government consider the needs of our community at large in respect of that degree?

95

**Hon. Dr J E Cortes:** Mr Speaker, I do not have all the details of how the board that considers this deals with it. You will recall that all ordinary degrees as opposed to foundation degrees, where a student has a place, are automatically funded and that does not enter there.

100

I would have thought – but this is subject to confirmation, I am not involved in this at all – that there would be a whole range of considerations in considering each student. The policy of the Government and of the Department is to encourage students who are *bona fide* and who would benefit from such a degree, but we have to be wary that it is not a reflection of 'I don't have to bother because I am going to go there anyway.' It is something that has to be borne in mind, together with what benefits the community might get in the end.

105

**Hon. E J Phillips:** Mr Speaker, just one further question about foundation degrees. Would the Minister agree that, certainly in the limited experience that I have with foundation programmes, there are a number of students in our community that would benefit from foundation programmes that lead to degrees, on the basis that there are students that are late developers. Some thrive in foundation degrees that are much more suitable and much more geared,

110

particularly in the vocational areas of social care for instance. Would the Minister agree that we need to watch out for those types of students so that we can engineer them into full degrees later where they will probably thrive?

115

**Hon. Dr J E Cortes:** Mr Speaker, absolutely. This policy is by no means aimed at discouraging that; it is just that we cannot give them automatically for the other reasons that I have stated.

120

**Hon. E J Reyes:** May I, Mr Speaker, for my own clarification. The Minister has explained clearly that the awarding of the scholarship for foundation degrees comes under the discretionary subhead. On successful completion of that foundation degree, most universities offer that student to continue with a full-blown degree and then they even get exempted for either the first or first two years. Because it is then an ordinary degree, does the student have to apply as a further discretionary award or does it now kick in automatically as a mandatory thing and therefore he or she can take it for granted that the mandatory award would come through?

125

I don't know if the Minister understands what I am asking.

130

**Hon. Dr J E Cortes:** Absolutely. I think those circumstances would mean that a person has got a place at university and therefore for students who have recently left school, it would be in my view mandatory. If you are coming at it later in life, because any degrees applied for even without a foundation year, are discretionary after two years from completing your studies, then they would be discretionary.

135

But certainly, if it is a student who, for example has decided to go on a foundation course on their own backs, then certainly that would be a consideration, as the hon. Member has described.

#### **Q217-218/2018**

#### **Students unable to complete UK studies due to mental health issues – Numbers; refunds of awards**

**Clerk:** Question 217, the Hon. E J Phillips.

140

**Hon. E J Phillips:** Can the Government state the numbers and gender of those students who have returned to Gibraltar without completing further or higher education studies in the United Kingdom on the basis that their mental health issues have prevented them from completing the course?

145

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 218.

150

**Clerk:** Question 218, the Hon. E J Phillips.

155

**Hon. E J Phillips:** Mr Speaker, in relation to those students who are unable to complete higher education programmes in the United Kingdom because of mental health issues, can the Government state its position with respect to the obligation of the student to refund monies paid by the Government in tuition fees and maintenance awards?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
160 Mr Speaker, the Department of Education considers issues of mental health to be as important as any other medical condition a student might face whilst studying abroad.

I can confirm that there were six students who returned to Gibraltar as a result of their medical conditions including mental health in 2016-17 – three females and three males. I can also confirm that three students have returned so far in 2017-18 as a result of medical  
165 conditions – two females and one male.

Students unable to complete their higher education programme as a result of unavoidable health issues are dealt with as per the guidance afforded in their scholarship contract, which requires medical evidence from a mentally qualified medical practitioner to the effect that the student was unable to successfully complete the course for unavoidable health reasons.

**Q219/2018**  
**Vacant teaching posts –**  
**Update**

170 **Clerk:** Question 219, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Education provide details in respect of any changes of vacant teaching posts since the answer provided to Question No. 123/2018, indicating the school/establishment where these changes may have occurred and from which  
175 dates?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

180 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, I seem to have my questions out of sequence. What was this number again?

**Clerk:** 219.

185 **Hon. Dr J E Cortes:** Question 219 seems to be missing from here, but it is okay, I have the answer in draft form, or maybe I have ... Oh, I have taken two together and put them in my 'out box' so to speak. My apologies, Mr Speaker.

There have been no changes to my answer together with the information I subsequently sent my hon. Friend, Mr Reyes, other than the advertising of 18 posts.

190 **Hon. E J Reyes:** Mr Speaker, I can confirm to you that the Minister very kindly as we had agreed, did forward me a schedule. I need your guidance, Mr Speaker, perhaps the Minister at some stage might be able to provide this schedule to Parliament so that it becomes part of *Hansard* and therefore in a few months' time if one needs to make a reference we are referring  
195 to something that is available to all Members of the House, rather than just privileged information that the Minister has made me aware.

If it is within your liking, Mr Speaker, I think the Minister can do that.

200 **Hon. Dr J E Cortes:** Yes, absolutely, Mr Speaker, you will recall that there was a slight difference in interpretation, we had agreed beforehand that I would send the information and I

did, quite soon after that. I have the schedule available, I will make it available and it can form part of *Hansard*, so delighted to do that.

**Answer to Question 219**

School	Vacant Post	Grade	Reason	Duration
Notre Dame F	Early Years	TLR 2D	Resignation	6 months
	ICT	TLR 2C	Promotion	6 months
St Joseph's F				
St Pauls F	Head	Head Teacher	Sickness/Bereavement	2 years
	Science	TLR 2B	Promotion	1 yr 2 months
Governors Meadow F	SENCO	TLR 2B	Promotion	0 months
St Anne's M	Mathematics	TLR 2A	Retirement	6 months
St Bernard's M	SENCO	TLR 2B	Retirement	6 months
	Yr Co-ord History	TLR 2B	Promotion	1 yr 1 month
	ICT	TLR 2C	No Applicant	1 yr 9 months
St Joseph's M				
Hebrew School	English	TLR 2B	Retirement	6 months
Gibraltar College	IT Co-ord	TLR 1B	Retirement	2 years
St Martin's School				
Westside	Senior Teacher	TLR 1A	Promotion	6 months
	Head of RE	TLR 1B	Retirement	6 months
	Head of Design and Technology	TLR 1B	Retirement	2 years
	Head of History	TLR 2A	Retirement	1 month
	Science Co-ordinator	TLR 1B	Promotion	6 months
<p><i>Supplementary Note:</i>                      The length for which the posts have been acted does not indicate that the person substituting is the same one. Many of these substitutions have seen a rotation of staff members.                      ACTED POSTS: 17                      AFTER EASTER: 2</p>				

**Q220/2018  
Community facilities –  
Cancellations**

**Clerk:** Question 220, the Hon. E J Reyes.

205 **Hon. E J Reyes:** Thank you, Mr Speaker.

Can the Minister for Education inform this House how many cancellations have been necessary at any of the facilities made available for community use since 1st January 2018, indicating the location, date and reason for the cancellation?

210 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.



**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, the information required is in the schedule that I am handing over.

**Answer to Question 220**

LOCATION	DATE	REASON
Westside School	24.01.18 & 25.01.18	Parents Evening
Westside School	29.01.18 & 30.01.18	(Outdoor pitch only) Inclement weather
St Anne's	29.01.18 to 22.02.18	Inclement weather & repairs to Gym
Bayside	29.01.18 & 30.01.18	Inclement Weather
Bishop Fitzgerald	16.02.18	School disco
St Joseph's First	21.02.18 to 06.03.18	World Book Day Activities
St Anne's Middle	08.03.18	School disco
St Joseph's Middle	08.03.18 & 09.03.18	Leak in gym ceiling

**Q221-233/2018**

**Transitioning to new schools –  
Details**

215 **Clerk:** Question 221, the Hon. E J Reyes.

**Hon. E J Reyes:** Further to the answer provided to Question No. 130/2018, can the Minister for Education provide details of who composed the two different working parties looking at different aspects of the key stage realignment transition as well as details of what these different aspects were?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

225 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, I will answer this question together with Questions 222 to 233.

**Clerk:** Question 222, the Hon. L F Llamas.

230 **Hon. L F Llamas:** Mr Speaker, can the Government now disclose its Traffic Impact Assessments for the new schools?

**Clerk:** Question 223, the Hon. L F Llamas.

235 **Hon. L F Llamas:** Mr Speaker, given the noise issues caused during the World Trade Centre construction in its proximity to Bayside Comprehensive School, how does the Government intend to mitigate the construction of the Europort Avenue affordable housing development on the doorstep of the new St. Martin's, Governor's Meadow and Bishop Fitzgerald schools?

240 **Clerk:** Question 224, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government explain how it will grapple with ensuring that the following recommendation from the Co-Education Group of 2017 is adhered to: 'New entrants from the middle school sector are often daunted by the prospect of the transition to

245 secondary education; every attempt should therefore be made to ensure they are not  
overwhelmed by finding themselves almost overnight in an excessively populated metropolis.?’

**Clerk:** Question 225, the Hon. L F Llamas.

250 **Hon. L F Llamas:** Mr Speaker, following a recent comment made by the Minister for  
Education that should the September 2019 deadline not be met, transitioning to new schools  
would take place after the Christmas or Easter breaks, can the Government state which schools  
it would foresee to transition during the academic year, and which would transition in  
September 2020, if any?

255

**Clerk:** Question 226, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, when planning school locations, can the Government provide  
details of the persons or entities it consulted and the locations considered before determining  
on the final locations.

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**Clerk:** Question 227, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government state which schools will have parking  
spaces beneath the building’s footprint detailing: (a) how many spaces; (b) if they will be sold,  
rented or otherwise allocated; and (c) whether these are at street level or underground?

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**Clerk:** Question 228, the Hon. L F Llamas.

270 **Hon. L F Llamas:** Mr Speaker, can the Government explain how it will manage security risks  
and hoax calls on schools with underground private parking?

**Clerk:** Question 229, the Hon. L F Llamas.

275 **Hon. L F Llamas:** Mr Speaker, can the Government state where the evacuation meeting  
points for pupils will be in the new schools?

**Clerk:** Question 230, the Hon. L F Llamas.

280 **Hon. L F Llamas:** Mr Speaker, can the Government state how many pupils it envisages will  
attend the two secondary schools if they were to open in September 2019?

**Clerk:** Question 231, the Hon. L F Llamas.

285 **Hon. L F Llamas:** Mr Speaker, can the Government disclose the proposed intention for  
development on the site currently used by St Martin’s School?

**Clerk:** Question 232, the Hon. L F Llamas.

290 **Hon. L F Llamas:** Mr Speaker, can the Government state what the new pupil capacity will be  
at the new St Martin’s School?

**Clerk:** Question 233, the Hon. L F Llamas.

295 **Hon. L F Llamas:** Mr Speaker, has the Government considered and consulted when it comes to populating the new schools, to populate the schools by age, by having a lower secondary in one school and a higher secondary in another?

300 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the Director, in conjunction with the Advisory Service, set the composition of the two working parties.

305 Staffing and resources are currently the two main aspects of the key stage realignment transition that have been identified.

In relation to Question 222, the matter is currently under consideration in conjunction with the Ministry for Transport.

310 In answer to Question 223, all necessary steps will be taken and a working plan will be part of the design process.

In answer to Question 224, the schools have been designed accordingly. At an operational level the schools will have the capacity to ensure that a year group is situated on one floor per section and have zoned break areas for different year groups distinct from the rest of the school.

This is in line with a further recommendation for the working group which reads:

(j) Initially Year 7 students in both Bayside and Westside would enjoy their own ecosystem: a school within a school so to speak; an area especially reserved for them, not quite segregated from the rest of the school, but not fully integrated either.

315 In answer to question 225, Mr Speaker, no, sir.

In answer to Question 226, these were internal discussions.

320 In answer to Question 227, as plans stand, parking spaces will be provided at ground level beneath St. Anne's, Notre Dame, Westside and Bayside schools. The number of spaces and the method of allocation are under consideration. All security aspects are being discussed with the relevant authorities.

In answer to Question 229, the matter is being considered by the Gibraltar Fire and Rescue Service in conjunction with specialist fire consultants.

We estimate, Mr Speaker, that there will be a school population of approximately 1,300 students in each of Bayside and Westside school when the schools open in September 2019.

325 In relation to the St Martin's site, Question 231, Mr Speaker, this site has gone out for expressions of interest which have now been received and are currently being considered.

In relation to Question 232, Mr Speaker, the answer is 100.

330 And in Question 233 yes, Mr Speaker, it has. The preferred option is that the two schools will be distinct entities and will be populated separately. The schools will each run their own Year 7 through to 13.

335 **Hon. E J Reyes:** Mr Speaker, if I may, coming back to my own question 221, the Minister said that the composition of the two different working parties were the Director and the members of the Advisory Services. Does that lead me to safely conclude it was the same people in both or perhaps I misunderstood the actual answer?

340 **Hon. Dr J E Cortes:** Yes, Mr Speaker, this answered the question of who composed the working groups. I was answering as who named them, who made them up. It is the actual composition is different: the Director and the Advisory Service decided who would be in the early stage working groups. I am happy to facilitate the people concerned, if that will assist. I have got that information here in case it was requested.

Mr Speaker, we have Mrs Ferro from Governor's Meadow First School, Mrs Duarte from St Anne's Middle School, Mrs Lester from Bayside Comprehensive, Mrs Barabich from Westside, Mr Abecasis from the College, Mr Tavares from Bayside, Mr Clinton from St Joseph's Middle, Miss Cruz from Notre Dame and Miss Scott from Westside. That is for the primary and secondary working group, that is the initial working group.

And then different sub-groups will be established as the process develops. For example, there will be one working group specifically looking at the nursery aspect which will have the early years foundation stage co-ordinators and nursery teachers who will all break out and for the nursery working group, which is the introduction of more nursery provision, we have Mrs Mason from Notre Dame, Mrs Burgod from St Joseph's First School, Mrs Parral from Bishop Fitzgerald, Mrs Montegriffo from St Joseph and Mrs Holmes from St Bernard's First School, Mr Speaker.

**Hon. E J Reyes:** That covers a part of what the different aspects were for the two groups or is there anything else that was touched upon in any other groups? Because my question did end up saying 'details of what these aspects were'. The Minister I think referred to primary and secondary and then he moved on to the primary and nursery education. Were there any other matters that were looked upon by these entities?

**Hon. Dr J E Cortes:** Yes, Mr Speaker, there have been two meetings of each of the two groups so far. There was a recent communication sent out to schools last month in relation to current structures and the impact on the current structures, which the heads were asked to discuss with their staff.

There was also a curricular audit sent to all teachers, inviting them to identify areas of a curriculum that they are confident in teaching and with what training they are happy to deliver, because obviously we are shifting between primary and secondary and we wanted to feel what the teachers themselves felt about their own personal position, as well as the overall.

And as I said, Mr Speaker, there will now be different subgroups established to deal with each of the major items.

**Hon. L F Llamas:** Mr Speaker, I would like to touch upon first the security issue which is at the moment being discussed by the Minister and his Ministry with the relevant authorities. Is this not something – and I expect it is the case – that the Minister has already undertaken and it is just final details that are being discussed, or is it something that is being discussed now after the plans are being produced?

**Hon. Dr J E Cortes:** Mr Speaker, this is an ongoing process. There has been initial contact at an early stage but clearly, as we firm up on the plans and the design which is now almost complete in the sense that stage two has been signed off and we are now completing stage three, which is the detail within classrooms and movement and so on. That requires its own additional discussion.

So this is an ongoing process which has gone quite far but there is still a bit of a way to go, absolutely.

**Hon. L F Llamas:** But, Mr Speaker, with regard to the parking underneath and the importance of ensuring that in particular, pupils are not given the opportunity to use the parking beneath it as leverage to get out of exams and things like this.

And obviously being such a big school, 2,600 pupils that will be going into the school, having to undertake security threats of this nature in such a big school will obviously have its toll on the education, the timing and obviously the location of the school, which is in a corner which is obviously within the traffic flow from the cruise terminal. What has been the reaction and the advice given by those who advise the Minister on this sort of security risk?

395 **Hon. Dr J E Cortes:** Mr Speaker, the hon. Member has listed a large number of issues, a lot of which I do not agree with as issues. Hiding in the car park in order to avoid an exam, I mean nowadays you hide round the corner in the Victoria Stadium or have I misunderstood?

400 **Hon. L F Llamas:** No, Mr Speaker, he has misunderstood. What I mean is hoax calls obviously from children who could threaten that there could be risks underneath in the parking which obviously would need investigating and could lead to stifling and bringing the school to a halt on many occasions.

405 **Hon. Dr J E Cortes:** Mr Speaker, I would put it to the House that the danger of a hoax call now, with a parking site just this far away from an active classroom, is much greater than if it is in an underground car park with a huge slab protecting the school.

I think if anything, the safety will be enhanced in that situation to what it is now, so I do not accept that concern.

410 **Hon. L F Llamas:** Mr Speaker, in the 2015 manifesto the GSLP Liberals had a manifesto commitment to expand if necessary the St Bernadette's or Dr Giraldi Home onto the location currently used by St Martin's. Is this still the case or are they deviating from that policy?

415 **Hon. Dr J E Cortes:** Mr Speaker, I suppose that the hon. Member is referring to that question on the sites regarding expressions of interest. I explained the Government's position in my answer and I have nothing further to add.

**Hon. L F Llamas:** But could the Minister confirm whether this is one of the possibilities or has this been disregarded?

420 **Hon. Dr J E Cortes:** Mr Speaker, in all honesty I have not yet been involved in that. I expect to be involved as Minister for the Environment, as I am in all allocations of land, but I have not had any involvement so I cannot answer that question.

425 Nor was it specifically asked in the original question, so I was not in any way able to look into that information.

**Hon. L F Llamas:** Mr Speaker, given now that the plans have been disclosed to the public in the John Mackintosh Hall, and the Government has now finalised that stage of the preparation, has the Government now made a decision on how it will actually populate the two secondary schools?

430 **Hon. Dr J E Cortes:** Mr Speaker, this is a matter which is still being finalised. I have made this clear in my discussions, for example my recent discussions with the Teachers' Association who had expressed, had made some comments on one of the possibilities which was the alternation between receiving schools, but no decision has yet been made. This is part of the consultation process to which I have made numerous references in the past.

440 **Hon. L F Llamas:** Mr Speaker, with reference to the answer given to Question 225/2018, I did not quite get an answer or it missed me completely, the comment made in public by the Minister that if the 2019 deadline is not met, that some schools could ... in particular this was made after a press conference to deal with the two secondary schools – that the transitioning could occur in between the academic year.

Is that the case just for the two secondary schools or is that the case for more than just the two secondaries?

445 **Hon. Dr J E Cortes:** Mr Speaker, I said I would not answer that question because it is a hypothetical one.

**Mr Speaker:** I do not agree that it is a hypothetical question because I recall seeing the Minister in an interview on television accepting the possibility that the schools might move after the Easter or Christmas vacations. Therefore, it is not hypothetical; he himself has included that possibility.

455 **Hon. Dr J E Cortes:** Yes, absolutely, Mr Speaker, and I apologise if I have given the wrong impression. It is not that it is hypothetical. What is clearly not definite and therefore has to be hypothetical is to which schools would end up in that situation. I said that it was possible but at the moment we still have those target dates. That has not changed and therefore I do not know which schools *might* have to have their opening or their move changed to another holiday period. Therefore, I cannot answer that question, Mr Speaker.

460 Once we have that information then I would be very happy to share that.

**Hon. L F Llamas:** However, and without wanting to use any hypothetical questions, but given that the statement has been made, was that statement and the content of that statement made with the assurances and backing of the teachers and the Education Department, in that it would be possible if need be to transition schools in that two-week period, whether it is Christmas or Easter?

470 **Hon. Dr J E Cortes:** Mr Speaker, we must not take what I said out of context. What I said was relative to the fact that we certainly cannot move a school in the middle of term time. Some schools would be easier to move than others. I would put it to you, Mr Speaker, that a relatively small first school would be easier to move in a relatively smaller period of time than a large comprehensive school, and this is something that would have to be discussed with the schools to see whether it was possible or not.

It is a possibility in the future but we are not there yet.

475 **Hon. Ms M D Hassan Nahon:** Mr Speaker, can we have some assurances from the Minister for Education that all is being done to be on top of the sensitivities associated with moving schools during a period which can be very close to exam time for students, please?

480 **Hon. Dr J E Cortes:** Absolutely, Mr Speaker.

**Hon. L F Llamas:** Mr Speaker, in relation to Question 229, did the Minister actually say that this is something which is currently being discussed with the Fire Department?

485 **Hon. Dr J E Cortes:** Mr Speaker, there are two levels of discussion and they include the Fire Department or the Fire and Rescue Service and specialist fire consultants. Where we are in this stage as to the detail, as to whether the fire consultants have passed on their recommendations to the Fire Service yet or not, I have not got that information. But certainly, both are key elements in that discussion.

490 **Hon. L F Llamas:** Mr Speaker, but the Government cannot confirm that evacuation points and meeting points for pupils has been identified and agreed?

495 **Hon. Dr J E Cortes:** No, Mr Speaker, this is part of the process. We cannot identify those points until we have the school designed. Now we are going to stage three, now we will know how the different classrooms will be populated, what kind of flow there will be. Now is the stage for that sort of thing, you cannot do it when it is just a plan with empty spaces in it.

So this is an ongoing process, it is something that cannot be done before it is actually done.

500 **Hon. L F Llamas:** Mr Speaker, but would this not be something that would have been consulted and agreed on in the same way as the evacuation has a traffic impact from the onset from the moment go, before actually designing and deciding on locations? These sort of things should have been agreed with by then. *(Interjection)*

505 **Hon. Dr J E Cortes:** Yes, Mr Speaker, we have a plot of land and I have to be careful, Mr Speaker, because I have brought a motion to this House where there will be ample time to debate. I want to avoid the need to debate it now and debate it again, but later, at the proper time if I may say, Mr Speaker.

510 But we are limited in Gibraltar as to the space that we can provide but within that, the design will inform what evacuation routes there have to be, what access routes there have to be. These are things that have to be developing continuously and there will be iterations and there will be changes as we improve, before finally opening the school.

I hope, Mr Speaker, that I will not have to answer these same questions every month or every other month because we must expect that this is a live process. It is a dynamic live process which does have to evolve and grow as I say, as the process proceeds.

515

**Hon. L F Llamas:** Mr Speaker, in relation to the answer given to Question 227 to do with the parking beneath the footprints, from my understanding the new Notre Dame is already being built so those designs should already be more than agreed and firmed up, in the same way as – I cannot recall now and I am sure I can find a picture of it – the two secondary schools had already allocated a number of parking spaces.

520

Is the Minister able to provide the number of parking spaces that will be provided in each school, given that obviously that information does exist?

525 **Hon. Dr J E Cortes:** Mr Speaker, we have an area allocated to parking. How they are going to be allocated is under consideration. The number of spaces for perhaps rental, a number perhaps for purchase, a number for one or the other thing, the number of electric charging points and so on, all these have a bearing on the configuration of the car parking, on the size of the parking bays and therefore, these are things that we have general figures, but not specific. And these again are being developed as we go along.

530

**Mr Speaker:** The Hon. Roy Clinton.

**Hon. R M Clinton:** Thank you, Mr Speaker.

535 If I may keep the Minister on the same question, 227, can the Minister advise the House whether it is absolutely essential to the viability of the construction of the schools, that the available parking that is created is in fact sold to the private sector?

**Hon. Dr J E Cortes:** Sorry, could he repeat the question? I did not catch it all.

540 **Hon. R M Clinton:** Certainly, Mr Speaker.

Can the Minister advise the House whether the viability of the entire schools project is dependent on the selling of these parking spaces underneath the schools or is it that the Government actually has an option not to sell these parking spaces and retain them within the public use of the school itself?

545

And just a rider to the question, is the Minister aware of any school in Gibraltar that has actually sold off a portion of its footprint to the private sector?

**Hon. Dr J E Cortes:** Mr Speaker, this question is quite bizarre. I will go back to the second part of my answer to that question. The number of spaces and the method of allocation is under consideration.

Mr Speaker, we are building these schools not because we are trading it off to anybody; we are building these schools because we are in dire need of them and therefore, my answer to the hon. Member is no, the number of spaces and the method of allocation is under consideration. I think that his reference to us selling off part to the private sector is ... 'bizarre' is the word that I come up with.

**Hon. R M Clinton:** Mr Speaker, the Minister may find it bizarre, but in fact that is the reality. From all the information that I have seen that the Government has released on this project, it is the Government's intention, and he can perhaps correct me, to actually sell – or to use his own words, rent out to the private sector – these parking spaces. So he is in fact giving away, or selling an interest in land on which our schools are built and he cannot deny that.

Now, what I would like to know from the Minister is, is this still being considered by the Government as an option, i.e. it does not have to sell or rent these parking spaces, it may retain them for school use, or is the Government absolutely committed and has no option but to rent or sell the spaces?

I am sure the Chief Minister will stand up now and help out the Minister, because the Minister still does not seem to understand what I am saying. *(Interjections)*

**Chief Minister (Hon. F R Picardo):** Mr Speaker, no. The Chief Minister is going to get up to tell the hon. Member that there is no school use for parking. Pupils do not neither learn to park or drive in schools. Therefore, his question is based on a suggestion which we do not recognise. *(Interjection)*

**Hon. R M Clinton:** Well, Mr Speaker, unfortunately the Chief Minister really again, has not added much to what I am getting at. And the point, Mr Speaker, is this: is the Government absolutely determined to rent or sell off to the private sector areas underneath our schools – yes or no?

**Hon. Chief Minister:** Mr Speaker, the Government is intent on making the best use of land in Gibraltar.

As Joe Bossano said in his first Budget Speech as Chief Minister of Gibraltar in 1988, the only thing that we have is our land and our people, and we must make more efficient use of both of those and that is where the success of Gibraltar lies in the future. And that is how the Government plans land use for the future, with regard to those two key views as to how we make Gibraltar more efficient.

**Hon. R M Clinton:** So, Mr Speaker, I take it from the Chief Minister's intervention that he is in fact confirming to this House that it is the Government's intention to sell areas underneath our schools to the private sector?

**Hon. Chief Minister:** Mr Speaker, the Government is confirming to the House what it has said publicly about the school projects and re-confirming its commitment to the principles set out in 1988 by Joe Bossano in the first speech given 30 years ago now, by a Chief Minister of Gibraltar on a Budget, that we will make the most efficient use of our land, which is our principal resource and our people, our second principal resource.

And that means making efficient use of all the land that we have available and if that means sharing types of uses, it means sharing types of uses in a desire to be the most modern, most efficient, make the most modern and most efficient use of our land.



600 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I may, I think that when we talk about the best  
use of land 30 years ago, it might not mean the best use of land today, because today we are  
living in an era where there is huge insecurity in terms of security. And to think that in an area  
built up, where there are going to be about 2,000 children, that land might be sold off to private  
buyers who could put their cars there, one could imagine the worst. Whilst 2,000 children are  
605 around in a highly densely populated area, for me, it might not be the best use of the land. For  
the Government, it might be the best use of land for other reasons, but I am thinking in terms of  
the best use of land for the children, and it is highly worrying.

**Hon. Chief Minister:** Well, Mr Speaker, the Government takes the view that what it said 30  
610 years ago about a principle, not about use of land, which is what the hon. Lady has failed to  
address in what I assume was a question, is still as true today as it was 30 years ago and it will be  
in 30 years from now, because we will still be probably the smallest jurisdiction in Europe having  
to make the best possible use of land.

And in that context, Mr Speaker, if the hon. Lady thinks that she can get away, in her  
615 presumed question, with suggesting for one moment that the Government would do something  
which endangers our children, she is not addressing the Government that is sitting in front of  
her. She is addressing a Government that must exist in her mind.

The Government is not just going to provide the best schools possible for our children. It is  
going to provide the most secure schools possible for our children. And I do detect, Mr Speaker,  
620 that we may fall into the trap of going down the road that we went in respect of LNG where it  
was suggested, for a serious part of the last election campaign, that the Government might do  
things which might put at risk any part of the geography of Gibraltar and the people of Gibraltar.

If we were not going to put at risk the people of Waterport Terraces or of the north of  
Gibraltar, there is absolutely no chance whatsoever that we would do anything that would put at  
625 the slightest risk the children of Gibraltar in the new schools that we want to develop.

And selling parking is not going to put anyone at risk. Indeed, Mr Speaker, it may protect  
people more because there may not be on-street parking as close to the schools as there are  
today. Or is it that the hon. Lady has not worked out that you are more likely to be at risk of  
630 somebody unknown to you parking alongside one of our schools today, than you are if you sell  
parking to people who have to give you their details, who are only able to enter the car park  
with the number plate which is registered to a particular parking space? Isn't that obviously  
safer, Mr Speaker? Of course it is and the Government would not do something that is unsafe.

And, Mr Speaker, I have a huge amount of time for her as she knows, but I deprecate any  
635 suggestion that any Member of this Government would for one moment countenance doing  
something that puts a child or children at risk. Her children, my children, our children will go to  
that school and we would not for one moment do something that puts it at the very slightest of  
risk.

**Mr Speaker:** Hon. Members are now debating on the question of whether parking should be  
640 allowed under the schools and therefore we are moving on because they will have another  
opportunity to do so when the motion is tabled.

**Q220/2018**  
**Community facilities –**  
**Supplementary questions**

**Mr Speaker:** Yes, the Hon. Edwin Reyes.

**Hon. E J Reyes:** Mr Speaker, would it be a convenient moment for you to allow me to refer to  
645 this schedule that was given in answer to Question 220?

**Mr Speaker:** Yes.

**Hon. E J Reyes:** It is a relatively easy schedule to understand, Mr Speaker, except for one  
650 point which needs clarification.

On the schedule it shows that on 29th and 30th January, due to inclement weather, it follows  
pretty obviously that the outdoor pitch, in other words an outdoor facility, had to be cancelled.  
Yet just below that, when it comes to St Anne's it starts on 29th January and goes on for almost  
a month. It says inclement weather and repairs to gym.

655 My understanding, and the Minister may need to correct me, is that the facility available to  
be used in St Anne's is actually a gymnasium and therefore, the inclement weather does not  
really affect a gymnasium. Is it all due to repairs to the gym?

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
660 Yes, Mr Speaker, I believe this refers to that event during one of the sessions or one of the times  
when we had inclement weather when scaffolding in the area collapsed. Therefore as a  
precaution the gym was closed because that was adjacent to it and therefore, it was not possible  
just in case there was a further problem which could have affected the roof of the gym.

I believe, subject to confirmation, that that is the reason for that.

665

**Hon. E J Reyes:** Thank you, Mr Speaker.

That does clarify and make a lot more sense. Thank you. But there is in there implied my  
assumption from previous answers that the only facility within St Anne's is actually the  
gymnasium. There is no outdoor facility at St Anne's. It has not in the past so therefore it is  
670 nothing new, is it?

**Hon. Dr J E Cortes:** Mr Speaker, I am providing information that has been provided to me. So,  
if there are other facilities, they have certainly not been removed from use or they would have  
been on this list.

675

**Mr Speaker:** Next question.

**Q234-235/2018**  
**Hot school lunches –**  
**Operation and costs**

**Clerk:** Question 234, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide details as to how the hot school  
680 lunches will operate for each school, together with the additional estimated cost in preparing  
schools for this initiative and the estimated cost to parents?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

685

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 235.

**Clerk:** Question 235, the Hon. L F Llamas.

690

**Hon. L F Llamas:** Mr Speaker, is the Government considering implementing a pilot scheme on hot school lunches prior to September 2019?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

695

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, this is currently under consideration.

700

**Hon. E J Phillips:** Mr Speaker, just in relation to the responses to those questions, will the Government consider in respect of those families who are unable to meet any of the costs relating to hot school lunches, whether a Government subsidy would be available for those families?

705

**A Member:** It will be means tested.

**Hon. E J Phillips:** Means-tested?

**Hon. Dr J E Cortes:** Yes, Mr Speaker, I was –

710

**Chief Minister (Hon. F R Picardo):** We are being asked a question about something we have announced.

715

**Hon. Dr J E Cortes:** We have already announced that, Mr Speaker, that it would be free to those families who would not be able to contribute. I was clarifying with the Chief Minister, who announced that before I was Minister for Education, when my colleague was.

#### Q236-237/2018

#### Children with special needs – Number attending Government schools; learning support

**Clerk:** Question 236, the Hon. L F Llamas.

720

**Hon. L F Llamas:** Mr Speaker, can the Government state how many pupils suffering from visual impairment, dyslexia, attention deficit disorder, autism, Down's syndrome and other special needs attend Government schools., giving a breakdown by school?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

725

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 237.

**Clerk:** Question 237, the Hon. L F Llamas.

730 **Hon. L F Llamas:** Mr Speaker, can the Government state for each pupil suffering from visual  
impairment, dyslexia, attention deficit disorder, autism, Down's syndrome and other special  
needs attending Government schools, what additional learning support is offered in each  
classroom by way of learning support assistants including (a) the number of pupils with special  
735 educational needs in each class; (b) the number of learning support assistants and (c) the school  
the pupil attends?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and  
Education.

740 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, the information in relation to Question 236 can be found on the Government  
website.

And in relation to Question 237, as I have explained in answer to previous questions, the  
allocation of such support will vary through the school year.

745 The total number of LSAs is 102, which is 13 more than the last time I answered on this  
subject. I should, however, point out that I consider the use of the word 'suffering' to be totally  
inappropriate in this context. Perhaps, Mr Speaker, the hon. Member would care to refer to the  
language etiquette leaflet issued by the Ministry for Equality.

750 **Hon. L F Llamas:** Mr Speaker, just on that point, the reason why I phrased this question in this  
particular manner is because I took it from the former Shadow Minister for Education when they  
were in Opposition to ensure that there was not any leeway in making sure that my question  
gets answered.

755 **Hon. Dr J E Cortes:** Times have moved on! (*Interjections*)

**A Member:** Thank God!

#### Q238/2018

#### First, Middle and Secondary schools – Pupils enrolled since 2011

**Clerk:** Question 238, the Hon. L F Llamas.

760 **Hon. L F Llamas:** Mr Speaker, can Government provide a breakdown by age and gender of  
the pupils enrolled in First, Middle and Secondary schools, as at 30th September  
2011/2012/2013/ 2014/2015/2016/2017 providing details of each school and class?

765 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and  
Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, I refer the hon. Member to the Gibraltar Government website where he will find  
the information requested from 2012 onwards.

**Q239-240/2018**

**Education Department expenditure and requests –  
Detailed breakdown since 2012**

770 **Clerk:** Question 239, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can Government state the amounts spent by the Education Department from 1st January 2012 to date in: (a) Maintenance; (b) Minor works and (c) Major Works, giving a breakdown by school, amount, date, contractor and details of the works carried out?  
775

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

780 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 240.

**Clerk:** Question 240, the Hon. L F Llamas.

785 **Hon. L F Llamas:** Mr Speaker, can Government state since 1st January 2012 to date what requests for (a) Maintenance; (b) Minor works and (c) Major Works remain unresolved, giving a breakdown by school; date report was made; nature of each report?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.  
790

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the information requested is available in online statistics in relation to Question 239. The contractors, with very few exceptions, are GJBS.

795 In relation to Question 240, all requests have been addressed or are in process. There are a number of issues in many schools which are unresolved despite our best intentions, which is why we are embarked in a programme of providing new schools and major refurbishments.

**Hon. L F Llamas:** Is the Government able to disclose which ones are in the process or unresolved?  
800

**Hon. Dr J E Cortes:** Mr Speaker, I think that the fact that we are having to move to new schools and carry out major refurbishments will clearly show which schools we are referring to.

805 **Clerk:** Question 241, the Hon. –

**Mr Speaker:** Do you have a further supplementary?

**Hon. L F Llamas:** It is on 238.

810

**Mr Speaker:** On 238, yes.

**Hon. L F Llamas:** Mr Speaker, I have been able to log into the Government website and statistics, and the Question 238 does actually ask for details relating to each school and class.  
815 The information available online is specifically on each school and year, it does not have a breakdown for the classes. Is this something that the Hon. Minister can provide please?

820 **Hon. Dr J E Cortes:** Mr Speaker, as I have said before, there will be a variation during the course of the year as some students move from class to class. I have said before that this is a hugely onerous task going back all that number of years, class by class. I will need to consult and see whether that information is in fact available.

825 **Hon. L F Llamas:** Mr Speaker, I understand that school sizes can vary throughout the year, but the question actually does say as at 30th September 2017, for example. Is this something that the Government cannot look at?

830 **Hon. Dr J E Cortes:** Yes, Mr Speaker, I said that I will see what information I can extract. But as I say, it is an onerous task. If the hon. Member is saying look, what is the average school class size and so on, maybe that is what he is after. But I will certainly endeavour to obtain this information.

835 **Hon. L F Llamas:** Mr Speaker, I would simply like to seek your advice on this. Would it be possible to table the same question at the next sitting in order to give ample time to the Minister and his Department to provide an answer to this question?

**Mr Speaker:** Is it that you want it to be on the record of *Hansard*?

**Hon. L F Llamas:** Yes, please.

840 **Mr Speaker:** Then yes, otherwise the Minister could undertake to write to you. But if you want it to be on the record, I will allow it.

The only thing is that in the answer the Member will notice it is from 2012 onwards, not 2011.

**Q241/2018**  
**E-registration for secondary school pupils –**  
**Introduction**

845 **Clerk:** Question 241, the Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, does the Government intend to introduce e-registration for pupils attending secondary schools as from September, 2019?

850 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, both Bayside and Westside currently conduct their registration sessions in an electronic format and will continue to do so in September 2019.

**Q242/2018**

**Gibdock lease –**

**Renewal date; environmental restrictions**

855 **Clerk:** Question 242, the Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, can the Government state when the Gibdock lease is up for renewal and whether Government is intending to impose any environmental restrictions such as a requirement for shore supplied power and restrictions in the hours of operation where noise is a problem under the terms of any new lease?  
860

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

865 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the Gibdock lease is up for renewal, details of discussions are confidential.

However, the Government has engaged with Gibdock in order to reduce their environmental impact quite independently of any renewal discussions.

870 **Hon. T N Hammond:** Would the Minister not agree that discussions reference ... and I understand the discussions themselves are confidential, but this would represent an opportunity to perhaps impose environmental restrictions such as those regarding noise and certainly those regarding omissions from Gibdock?

875 **Hon. Dr J E Cortes:** Mr Speaker, as I say, we are in discussions quite independently of any renewal. I think the need to improve the environmental impact of every single activity in Gibraltar is something that we aspire to and need not be linked to anything else. So that is my brief within my Department and I will continue to pursue that.

880 **Hon. T N Hammond:** So can the Minister confirm then, whether the discussions that are taking place outside of those discussions which are taking place for the lease renewal do reference the provision of shore-supplied power to reduce emissions and the management of noise, particularly at night that is coming from the dockyard?

885 **Hon. Dr J E Cortes:** Mr Speaker, I believe that would require another question to be lodged. I am not leading on the discussions on lease renewal. I am leading on discussions of environmental improvement and some of the things that the hon. Member has mentioned, as we stated in a press release not too long ago, are part of these discussions. But I am not linking one to the other necessarily.

890 **Hon. T N Hammond:** I am pleased to hear that the Minister is leading on the other discussions, reference the environment, so hopefully he can therefore at least make clear whether yes in seeking environmental improvement, whether those two particular provisions – because there is a great deal of interest in the area from residents, as you can imagine – are part of the agenda and whether he can inform this House how those talks are proceeding, how those discussions are proceeding and whether he is hopeful of an outcome that will be satisfying to those who live in those areas.  
895

900 **Hon. Dr J E Cortes:** Mr Speaker, I am hopeful. There are areas that we are actively discussing that we have made progress on, but it is not for me here to defend or otherwise the performance of Gibdock. Just to say that we are engaged with them and we are looking forward to further improvements.

905 **Hon. T N Hammond:** And one last question if I may, Mr Speaker. As these particular discussions are not related to the lease, does the Minister have any idea when those discussions may be complete and perhaps a public announcement made?

910 **Hon. Dr J E Cortes:** Mr Speaker, these discussions are ongoing and there could be new issues arising and there is a regular contact with Gibdock both from my Ministry and from the Environmental Agency, so this is an ongoing thing. It is not one in which there is a particular time frame.

**Hon. T N Hammond:** I did say it was the last question, Mr Speaker, but actually the Minister's response solicits a further question.

915 So if I am asked by residents of the area, as I frequently am, whether I have asked questions and what progress there is, my response at the moment seems to me can only be, well Government is talking to Gibdock but on these particular issues of which you are particularly interested, the Government cannot explain to me or describe to me any detail as to what progress or as to when something may be achieved in respect of those issues. (*Interjections*)

920 **Hon. Dr J E Cortes:** Mr Speaker, it would not surprise the hon. Member or anybody in this House that the Government, and certainly in representation the Government, my Ministry and I are pursuing these and many other issues (*Interjection*) very strongly in order to improve the situation, not just in Gibdock but everywhere else in Gibraltar.

925 And so, anybody who goes to the hon. Member can firstly be referred to me and to my Ministry, and I will be very glad to talk to them and engage with them and tell them what we are doing, and can be reassured that we are doing everything in our power to improve the environmental performance of every operation in Gibraltar.

#### Q243/2018

#### Updated schedule of payments made – Including Commonwealth Park and Alameda Gardens

**Clerk:** Question 243, the Hon. L F Llamas.

930 **Hon. L F Llamas:** Mr Speaker, further to Question 607/2017, can the Government provide an updated schedule of payments made, to include Commonwealth Park and Alameda Gardens and the names of the entities the payments have been made to?

935 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the information requested by the hon. Member is in the schedule that I hand over.

940 Let me say, Mr Speaker, that as in the case of Question 607/2017, I have not identified the different entities. Some of them are in competition with each other and therefore, as I said at the time, without their specific agreement I think it would be unfair to mention them by name across the House.



**Answer to Question 243**

Schedule of payments made for each entity from December 2011 to date

	<i>Entity A</i>	<i>Entity B</i>	<i>Entity C</i>	<i>Entity D</i>
December 2011 to March 2012	£123,642.68	£26,626.35	£45.00	£119,827.65
2012/2013	£518,631.47	£121,444.23	£180.00	£621,838.50
2013/2014	£555,833.51	£114,747.30	£195.00	£750,573.59
2014/2015	£573,442.83	£109,504.99	£180.00	£985,822.46
2015/2016	£565,761.73	£110,049.72	£180.00	£946,436.70
2016/2017	£563,278.50	£110,399.72	£180.00	£1,079,082.63
2017 to date	£571,511.25	£100,767.29	£2,965.00	£1,205,003.63

**Q244/2018**  
**Maintenance of planted areas –**  
**Tender process**

**Clerk:** Question 244, the Hon. L F Llamas.

945

**Hon. L F Llamas:** Mr Speaker, does the Government intend to open for tender the maintenance of planted areas around Gibraltar currently carried out through contracts?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

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**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the Government is considering this.

**Q245/2018**  
**North Front Cemetery –**  
**Maintenance costs and contractor**

**Clerk:** Question 245, the Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, since April 2017, can the Government state what the cost of clearing, maintaining and enhancing the North Front Cemetery together with the name of the contractor or contractors?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

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**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the tender was awarded to Greenarc in August 2017 for a period of two years up to July 2019, at a yearly sum of £103,428.

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**Mr Speaker:** Next question.

**Q244/2018**  
**Maintenance of planted areas –**  
**Tender process**  
**Supplementary question**

**Hon. L F Llamas:** Sorry, can I just have a supplementary on Question 244?

970 By when does the Minister intend to open for tender these contracts? Is there a timeline that he is thinking of at this point in time?

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
975 No, Mr Speaker, we are considering the way in which this could be done in relation to how Gibraltar may be divided up in sectors or in types of work that needs to be done. So it is currently a matter that is being considered, but I cannot give any more information at this stage.

**HEALTH, CARE AND JUSTICE**

**Q246-249/2018**  
**GHA Board meetings –**  
**Financial reports; National Dementia Committee;**

**Clerk:** Question 246, the Hon. R M Clinton.

**Hon. R M Clinton:** Thank you, Mr Speaker.

980 Can the Government please advise the date of the GHA Board meeting at which the 'executive decision' to remove quarterly financial reports from the public part of GHA Board meetings was agreed to by the GHA Board?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

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**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this question together with Questions 247 to 249.

**Clerk:** Question 247, the Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, can the Government explain why a report from the Director of Finance and Procurement is no longer a standing agenda item for GHA Board meetings, even if held in private, and the absence of this report, how does the Board monitor the financial performance and resource allocation of the GHA?

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**Clerk:** Question 248, the Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, has the Government established a National Dementia Committee in accordance with its 2015 National Dementia Vision and Strategy for Gibraltar?

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**Clerk:** Question 249, the Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, does the Minister for Health still stand by his personal commitment given to taxpayers in his Budget Speech on 27th June 2017 that, and I quote "In my first year as Minister for Health, the GHA will come within Budget."  
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**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1010 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the decision to remove the quarterly financial reports from the public part of the GHA Board Meetings was taken by the CEO and his executive team prior to the GHA Board meeting of 21st September 2016.

1015 The Board Report from the GHA Director of Finance and Procurement is now discussed in the in-camera session of the GHA Board. The report may contain commercially sensitive information and disclosing this to the public may hinder the GHA's ability to obtain the best value for money for taxpayers. The financial performance and resource allocation is reviewed and discussed amongst Board members at each GHA Board meeting. The Government of Gibraltar publishes the annual GHA accounts at the end of the financial year, together with the estimates for the next financial year.

1020 The Government is in the process of deciding on the individuals who will form part of the National Dementia Committee.

I can personally attest, Mr Speaker, that in the last year, my team at the GHA and I have made important strides in improving financial control and accountability, the full details of which I will be delighted to set out at this year's Budget debate.

1025 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer.

I did not quite catch the answer to Question 247: there is no report on the agenda from the Director of Finance and Procurement so I fail to see how the GHA Board can discuss financial information if there is no such report to be had, even in camera. Could the Minister please clarify that for me?

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**Hon. N F Costa:** Mr Speaker, I have just risen from my first reply so I will try not to get contentious in my first reply to a supplementary question.

1035 The answer is in the original answer that I gave to the hon. Gentleman which is that the report is discussed in the in-camera part of the GHA Board meeting. Therefore, he will not have sight of that agenda because it is in camera, but it is discussed during the in-camera aspect of the Board meeting.

1040 **Hon. R M Clinton:** Yes, Mr Speaker, I fully understood what he said, but he still does not understand my point. My point is this: if he were to look at, for example, the agenda from the 2015 GHA Board held on 1st July 2015, he will quite clearly see there is a report – 6.3 Report to the Finance and Procurement – in camera. But again, I do not see that in the agenda for current Board meetings.

1045 So again, I ask the Minister, does the Director of Procurement present a report to the GHA and if so, why isn't it a standing agenda item?

**Hon. N F Costa:** Mr Speaker, for the very reason that I told him, that it is discussed in the in-camera section, the report is presented in the in-camera section and it is discussed by Board members in the in-camera section.

1050 As I told him as well, the decision not to include it as part of the public aspect of the Board discussion is for the reasons that I gave him here and there is no more to add, other than to say that the discussion is had by the Board members but in the in-camera part of the GHA Board meeting.

1055 **Hon. R M Clinton:** Mr Speaker, may I suggest to the Minister, he may wish to consider to include as an agenda item perhaps for my peace of mind and the peace of mind of the public, that the Board are considering this by having actually listed on the agenda as 'Report from the Director of Finance and Procurement – in camera', so we do at least know the Board are discussing it, rather than the Minister having to come to the House and explain, yes of course

1060 the Board are discussing it. But it is not on the agenda, Mr Speaker, so could he perhaps be kind enough to ensure that it is on the agenda in future, so that for the benefit of those who are not privy to the in-camera session, that we do know that at least some numbers are being presented?

1065 And furthermore, as we do know now, the Director or Medical Director does not give an overview in the same way the Chief Executive used to in his report, it would at least give some comfort that the GHA Board is considering these matters formally, as the agenda would indicate.

1070 **Hon. N F Costa:** Mr Speaker, I do not think that the hon. Gentleman has understood my reply. I have told him that the report *is discussed*, but it is discussed in the in-camera section of the GHA Board. So I hope that he has now –

**Mr Speaker:** That is not what he has asked you. He has asked you to consider whether you will go back and put it on the (*Interjection by Hon. N F Costa*) actual agenda of the Board, with a note that it is in-camera.

1075 **Hon. N F Costa:** Yes, Mr Speaker, that is what he is asking me but –

**Mr Speaker:** That is what he has now asked you for.

1080 **Hon. N F Costa:** Yes, but he finishes off by saying that the Medical Director now does not discuss it in the way that he used to and I am telling him that it *is* being discussed in the way that it used to, except that we do not have the agenda item on the open part of the GHA Board.

So, to be clear, the report is discussed in the in-camera section of the GHA Board meeting, Mr Speaker.

1085 **Hon. R M Clinton:** Finally, Mr Speaker, not to labour the point any further, will the Minister undertake in future to at least include the agenda item, as I suggest, with the words ‘in camera’ next to it so that we know that it is there on the agenda as a standing item, as all the others are?

Now I know that he is saying the report is presented, fine I take his word for it, but can we have it on the agenda?

1090 **Hon. N F Costa:** Mr Speaker, it really is quite something when you have the Party opposite who, when my hon. predecessor started the process of having open GHA Board meetings, we were heavily criticised for having GHA Board meetings in the open, and at the time, the hon. Lady who represented the party of the GSD was adamant that to have an open process and have GHA Board meetings in the open was perhaps not the best way to conduct GHA business.

1095 And now, we have a situation not six or five years later, asking us to have an item on the agenda in respect of the in-camera part. The in-camera part of the GHA Board meeting is not placed on the open agenda of the GHA Board meeting because it is discussed in the private part of the GHA Board meeting. For that reason, Mr Speaker, it would be a nonsense to add an agenda item in the open part of the GHA Board meeting on a matter that is discussed in the in-camera GHA Board meeting. Because if I were to apply and follow his logic, then I would have to list in the GHA open Board meeting, every single item discussed in the in-camera part of the GHA Board meeting.

1100 So no, Mr Speaker, I will not accede to his suggestion.

1105 **Hon. R M Clinton:** Mr Speaker, it was such a stupid idea that his predecessor actually did it! And again, I refer him back to the agenda of 1st July 2015, Matters for Report – (1) Chief Executive; (2) Director of Public Health; (3) Report, Director of Finance and Procurement – in camera. That is all I am asking for, nothing complicated – his predecessor did it.

1110 If he is saying, 'Well look, there are things in camera – why put it on the agenda?', how do we know what else is being discussed in camera? This is particularly critical; we are not talking about has the entrance area been swept this month or not in camera. This is critical. He has a budget of over £100 million: we want to know it is discussed regularly, albeit in camera, fine. His predecessor did it; why can't he?

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**Hon. N F Costa:** Mr Speaker, he does realise that we live in linear time and there is such a thing called the effluxion of time and the agenda item of which he speaks was in 2015. Subsequent to that point in time, there is a decision by the CEO in 2016 not to have those reports discussed on the agenda of the open GHA Board.

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And therefore, it makes no sense to me as the current GHA Chairman to place an item that is discussed in the in-camera section of the GHA Board in the open section of the GHA Board. Because trying to be consistent and applying the logic that he wishes me to accede to, if I were to decide for this particular item to add it to the open Board meeting agenda, I would feel that I also have to add all the items that we list on the agenda for the private part of the GHA Board meeting.

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So no, Mr Speaker, for the third or the fourth time, I will not accede to adding an item on the agenda of the GHA Open Board meeting for discussion in the in-camera section of the Board meeting, Mr Speaker.

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**Mr Speaker:** And because the Hon. Minister has insisted for the fourth or the third time that that remains the position, I am afraid that we are going to move on to something else.

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**Hon. R M Clinton:** Mr Speaker, if I may, he has raised a very interesting point which I would like to develop. Mr Speaker, we will leave that. Is the Minister actually suggesting to this House, that there are two agendas for the GHA Board, one which is actually published on the website and another one which is private? Is that true?

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**Hon. N F Costa:** Mr Speaker, the hon. Gentleman should pick up a dictionary. There is an *in-camera* GHA Board meeting. Therefore there is the public part which the GSD was against in 2012 and the in-camera part which has always been part of the process.

The hon. Gentleman graces us with his presence every time there is an open GHA Board meeting and we are delighted to have him and at the conclusion of that meeting we say thank you to the hon. Gentleman and any other members of the press and we excuse them because we tell them we will now discuss the in-camera part of the GHA Board meeting.

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Therefore, it is a surprise to me that he should be surprised that there is a part of a GHA Board meeting that is not publicly exposed, given that it is held in camera, which is behind closed doors.

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And let me also tell the hon. Gentleman that I am also delighted that he should take his cue from *The Gibraltar Chronicle*, because it was *The Gibraltar Chronicle* that was asking these questions to me. So maybe perhaps they should be referring to *The Gibraltar Chronicle* what questions it is that they are going to be asking me.

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**Hon. R M Clinton:** Well, Mr Speaker, I am grateful to the Minister for referring to *The Gibraltar Chronicle* because I have it precisely here. (*Interjection*) And of course, Mr Speaker, if the Minister had graced us with his presence at that meeting and the meeting before, from which he was both absent, we might have been endowed with the benefit of his wisdom in those Board meetings, in camera or not in camera.

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Well, Mr Speaker, we will move on as you suggest. The National Dementia Vision and Strategy for Gibraltar 2015: we are now in 2018. Can I ask the Minister what is taking so long in considering the constituent members of this committee and when does he hope to make a decision?

1165 **Hon. N F Costa:** Mr Speaker, at least I am glad that the hon. Gentleman agrees that the Government is very well endowed with the benefit of wisdom and, Mr Speaker, the reason why I did not attend the first GHA Board meeting to which he refers is because I am afraid I was in Parliament and as much as I try to expand my skill set, bi-location is not yet a gift that I have discharged. However, I do ask for that gift increasingly, given the duties that I discharge.

1170 Secondly, Mr Speaker, in respect of the question he asks about the National Dementia Strategy, he is right that we have not yet set the committee members for that particular body and the reason is because, as the hon. Gentleman knows, the Government has opened the Bella Vista Day Centre, Hillside and we have also added a floor to John Mackintosh Home and it was the considered advice of clinicians, of service groups and of users that it was very important to have those sites and those facilities rolled out and then to continue with the work of the National Dementia Strategy.

1175 I am pleased to inform him that the National Dementia Strategy has almost finished its revision. It had to be updated, given the addition of the excellent facilities that have been rolled out and there has been a meeting now, I think three weeks ago, or two weeks ago, between the clinician who is updating the National Dementia Strategy, with the Gibraltar Alzheimer's & Dementia Society (GADS) and with the Elderly Residential Service, to discuss the different parts of the National Dementia Strategy including who are the persons who should be nominated to sit on the National Dementia Strategy Committee.

1180 So we are hopeful to be able to announce the names of the persons who will sit in that committee very, very soon.

1185 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer on the National Dementia Committee and I look forward to his announcement in due course.

Mr Speaker, coming to Question 249, and I would just like a very simple yes or no answer from the Minister, although it may be just wishful thinking on my part: does the Minister stand by his statement that the GHA will come within Budget, yes or no?

1190 **Hon. N F Costa:** Mr Speaker, it is wonderful how I give answers to the hon. Gentleman and he asks me questions again to answers which I have already given.

1195 **Hon. R M Clinton:** Mr Speaker, obviously my brain does not function as well as his does, but I definitely did not hear a simple answer to the question. He said he would give some kind of update, etc. That was not my question, Mr Speaker. My question was, does he stand by the statement, yes or no? Will he come within Budget, yes or no?

1200 **Hon. N F Costa:** And I have already told him, Mr Speaker, that I will be delighted to discuss all of that at the Budget session.

1205 **Hon. R M Clinton:** Mr Speaker, again I am grateful for your guidance or not on this, but I do not think we are under any rules regarding the future Budget in terms of discussing an outcome, since we have not had the Estimates Book yet. So again, a very simple question – I do not want to discuss it at Budget time, I would like to know now, today – is he still confident of that statement, yes or no?

1210 **Hon. N F Costa:** Mr Speaker, thankfully for him and I think for this House, I do not regulate my life depending on his wishes or his whims. I have already given him the answer to the question, which is that I will be delighted to discuss it during the course of the Budget debate. If he does not like it, Mr Speaker, so be it.

**Hon. R M Clinton:** Mr Speaker – (*Interjection*)

1215 **Mr Speaker:** The fact of the matter is that it is abundantly clear to me that you are not going to get an answer to that specific question. And because you are not going to get an answer to that specific question, we are moving on to the next.

Right, you are unable to get an answer to that question –

1220 **Hon. R M Clinton:** Can I ask you on a Point of Order, Mr Speaker?

Am I allowed to ask questions of the Government and expect an answer, yes or no?  
(*Interjections*)

1225 **Mr Speaker:** The Government is not obliged to answer any specific question. If they do not want to answer it, they do not have to, it is a matter for them ultimately. It is not a matter for the rules. I am not the arbiter as to the adequacy of a Government answer to an Opposition question.

**Hon. D A Feetham:** Mr Speaker, may I? (**Mr Speaker:** Yes.) Thank you very much.

1230 Mr Speaker, may I ask the hon. Minister a supplementary. He may have answered this but in my old age, I cannot recall exactly whether he has answered this particular point. (*Interjection*)

1235 But does he not agree with me that in circumstances where the cost of running the GHA has more than doubled since 2011, that in circumstances where the GHA or health expenditure is costing roughly about ... it was last year about £10 million per month – that is £120 million nearly a year – and in circumstances where the Government is now introducing efficiency measures, presumably to deal with the situation where we have in some areas runaway expenditure on the GHA, and indeed in circumstances where we now have or Gibraltar is facing Brexit where the Government is going to have to reposition areas of our economy in relation to that, and presumably that could have a knock on effect as well on revenue streams, that it is in those circumstances, *imperative* that we have *greater* transparency, not less transparency? And  
1240 can the Minister explain to me why the Government is moving to less transparency at this particular point in time?

**Hon. N F Costa:** Mr Speaker, the hon. Gentleman's prefaces to his questions are longer than Wagner's *The Ring of the Nibelung*, which I recommend that he listens to.

1245 It is not that the Government is moving to less transparency, not at all. We have told the Hon. Mr Clinton that the finances of the GHA will be discussed at Budget time. All of the finances and all of the subheads will be discussed then. They can ask as many questions as they like during the course of the Budget debate and of course during the course of the Committee session.

1250 I do not know whether I heard the hon. Gentleman correctly, but the GHA's Budget has not doubled since the time that the – (**Hon. D A Feetham:** Cost.) No, no, the cost of the GHA – certainly I am looking at the last year of the GSD, which was 2011-12 and if I recall correctly, it may have been £89 million or something along those lines, and the cost last year was £119 million so we are nowhere near doubling the cost of the GHA.

1255 **Hon. D A Feetham:** I will have a look at the point. In fact I may have in mind the budget in – (*Interjection*) No, 2011 I think. But anyway, I will stand to be corrected if I am wrong, but I will go back to that.

1260 But the point is, Mr Speaker, that the Government takes a decision and the decision in this case is to hold in camera as from 2016 what had previously been discussed openly and, therefore, was subject to public scrutiny, was subject to comment by members of the public, by members of the press and indeed by the House, on a monthly basis after those meetings took place in public. It is for the Government to justify why it is going from a position of transparency – in other words, open meetings – to a position where that aspect is now being discussed in camera. I just do not have it clear in my mind why it is that at this particular

1265 juncture, taking all those factors that I outlined in my previous question, why it is that the Government is moving towards less transparency in this particular instance?

**Hon. N F Costa:** Mr Speaker, as I said, I was not privy to the discussions that took place between the CEO of the GHA at the time and his executive team. But I have to tell him that even without being privy to those discussions, if I had been the Chairman of the GHA in 2012, I would never have placed the finances of the GHA for discussion in a public meeting during the course of the year, not just because of the reason that I gave this House, which is that if you have this open discussion about tenders and so on it could very much impact on the ability of the GHA to be able to enter into any subsequent negotiations following a tender, but also because as he well knows, finances are not reconciled until after the financial year. So to provide any figure at any point during the course of the financial year, which is subject to reconciliation and correction and audit, for me would have been a no-go area in the first place, mostly for that particular reason.

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1280 But in any case, Mr Speaker, whereas the hon. Gentleman now espouses a philosophy of having the GHA Board meetings in the open, he has to remember that when he sat with the hon. Lady that no longer sits next to him –

**Mr Speaker:** No, you have talked about the hon. Lady this afternoon on three separate occasions.

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**Hon. N F Costa:** Only?

**Mr Speaker:** Yes, you have, on three separate occasions. The present Members of the Opposition are not bound by what the hon. Lady that you are referring to said here in the House. Whatever question, whatever policy position she was taking, they are no longer committed to that, she has left politics.

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1295 That does not mean that the new Shadow Minister for Health has got to follow the line of someone who is now actually working for the GHA. That is not a valid point to make and please do not make it any more, because I am getting a bit fed up of hearing the same thing over and over again. You are just repeating yourself and it is not a valid point, in my view, to make.

I do not think we are making much progress on this particular issue, I must say. So, unless we get something new that will persuade me to carry on, we are going to move on to the next question.

1300 Now, the Hon. the Chief Minister I think wants to say something.

**Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker, because the Government takes a completely different view to you of whether the point is valid or not. The Government will insist on reminding Members of the GSD what their position was. They represent the Gibraltar Social Democrats and the Gibraltar Social Democrats, when they had the opportunity and were in Government, actually carried out a particular function in a particular way. We think it is appropriate and proper to remind the community, when they now suggest that we should be judged in a different way, that that was the way that they discharged the functions of Government when they were elected into Government.

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1310 And if I may say so in particular, Mr Speaker, in respect of the questioner on this occasion, although he *sometimes* says that he is at the twilight of his political career, but I know him well enough to believe that he has got life left in him yet, (*Laughter*) he was in that Government, Mr Speaker. He was a member of the Government that acted in that way.

1315 And therefore, the Government considers that it is absolutely proper that in this House and outside it, to remind the public that when they had the chance to make public those debates of the GHA, and in particular debates in respect of the finances of the GHA, they chose not to. And when we have adopted one particular part of that, they are now in effect – Mr Feetham in



particular – arguing against the position they took when they were in Government. And that for us is politically – to take one position when you sit in Opposition which is contrary to the position you have taken in Government – something that we think is valid and necessary to point out.

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Mr Speaker, I think we have demonstrated in the time that you have been determining the proceedings of this House, that we follow your rulings to the letter and are respectful of them. But as to the political value of a point, I think we are entitled to very respectfully say that we will take a different view, but also accept that if you feel it is time for us to move on to another point, to do so with great respect.

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**Mr Speaker:** The Hon. Minister has been referring to a lady who was never in Government. She was only a Member of the Opposition. (*Interjections*)

No?

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**Hon. Chief Minister:** No, Mr Speaker, this is the problem. Mrs Del Agua was Minister for Health – (*Interjection by Mr Speaker*) Mrs Del Agua was Minister for Health for four years.

**Mr Speaker:** My apologies. I apologise unreservedly. I thought that the Hon. Minister was referring to the Hon. Isobel Hammond. I apologise unreservedly.

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**Hon. D A Feetham:** Mr Speaker, I was going to go back as well to *Hansard* to have a look at the positions taken by Isobel Ellul-Hammond, because the hon. Gentleman actually put ... The reason why there is this confusion is because he said 2012 and of course in 2012 we were in Opposition; we were not in Government. That is why everybody has assumed that the hon. Member was referring to Isobel Ellul-Hammond. (*Interjection*)

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But look, Mr Speaker, may I say this, that the hon. Member is perfectly entitled as a matter of raw politics to say, 'Well, hang on a minute, it was done when you were in Government, it was done in a particular way.' But the reality is, may I just coin the phrase that has been used by Minister Costa when asked a question earlier on in the afternoon about a change in position in Government, he said the effluxion of time, things move on. Well, I suppose what is good for the goose is also good for the gander, and things do move on.

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Mr Speaker, the reality is what we are asking is, for the Government to explain its own position, because the Government started off with a position of having open meetings for everything and in 2016 changed that position in order to carve out into private the financial aspects of the GHA.

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I just have one more supplementary question because I do not think, I do not want listeners to this debate to think that this is just simply about numbers. (*Interjection*) Actually it is not. Yes of course, I will give way, yes.

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**Hon. Chief Minister:** I am grateful to him because I will leave the supplementary to be dealt with by the Minister. I just want to deal with one particular point and that is the point which Mr Speaker made which he has now addressed.

Mr Speaker, you have apologised unreservedly. You do not need to apologise to us on this side of the House, we entirely accept that you believed we were dealing with somebody else and the only point I wanted to make on behalf of the whole Government, was that we thought it was valid to make the political point, and I am grateful for your indication.

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And finally, Mr Speaker, in relation to an effluxion of time, Mr Speaker, it is one thing for time to pass; it is quite another for people to change their position. The hon. Lady to the right has passed in time and in philosophy and politics from the labels of the GSD. The hon. Gentleman to the left also, but hon. Members in the middle are stuck with being members of the Gibraltar Social Democrats. And if they want to make points which are contrary to the politics of that party, all they need to do is to just leave the Gibraltar Social Democrats and then they will be

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1370 free to make their modern new points. But otherwise they are lumbered with their record and I  
am grateful to the hon. Gentleman for giving way, so he can now continue with his  
supplementary.

**Hon. D A Feetham:** Well, thank you very much. Well, I suppose, Mr Speaker –

1375 **Mr Speaker:** You said you had one last supplementary.

**Hon. D A Feetham:** I suppose, Mr Speaker, we all change position. I mean he spent ten years  
calling me the Darth Vader of Gibraltar politics and I did not receive an invitation to meet Luke  
Skywalker earlier on! (*Laughter and banging on desks*) I have to say that aggrieved me totally!  
1380 Does he want me to give way? I will give way in the spirit!

**Hon. Chief Minister:** Mr Speaker, the last thing I wanted was family conflict on the Skywalk.  
The last thing Gibraltar needed was Darth Vader and Luke Skywalker in the same space with  
loaded light sabres. That is the only thing that concerned me, Mr Speaker.

1385 **Mr Speaker:** Now, your supplementary.

**Hon. D A Feetham:** Yes. Thank you very much.

1390 Mr Speaker, does the Minister not accept that this is not an issue just simply about raw  
numbers?

Of course, look, I will give the Minister an example. One of the most interesting pieces of  
information that during my time in Opposition I derived from reports based on the minutes of  
these meetings, on the financials, was the fact that in 2012 the GHA Board discussed that there  
was a problem with the procurement side and that was causing significant concern to the GHA  
1395 Board, alright? Now, that was a matter that I then brought to this House and I asked  
supplementary questions. It is a matter of public interest if the Board of the GHA thinks that  
there is an issue with public procurement within the GHA.

Efficiencies, for example, that the Government is also now undertaking in relation to the  
GHA. Of course, it involves numbers, but it involves also labour issues. These are all matters of  
1400 public interest and therefore, if the Government closes the shutters by hiding off all that aspect  
in camera and does not allow the public, the Opposition and the press to properly scrutinise that  
aspect, then of course that I think is not in the best interest of democracy and I am just asking  
the Government to explain that.

1405 And does he not accept – this is my supplementary – that it is not just simply about pure  
numbers?

**Hon. N F Costa:** Mr Speaker, I have already explained that even if I had been privy to the  
conversations between the former CEO of the GHA in discussing the reasons why to remove the  
reports from the public part, I would have definitely agreed with that decision for the reasons  
1410 that I have already enumerated.

Firstly, I do not think it helps the GHA's position to discuss financials when those financials  
could impact on the ability of the GHA to be able to negotiate best value for money on any  
particular contract. I do not think that it is wise to provide numbers during the course of a public  
debate before those numbers are reconciled and before they are checked. I think it actually  
1415 causes more harm than good.

And therefore, as I said, even though I was not the Chairman of the GHA at the time, I stand  
by the decision to remove that discussion of the GHA agenda to the in-camera session.

**Q250-258/2018**

**Inpatients at foreign hospitals; agency health workers; claims against GHA;  
Primary Care waiting times–  
Breakdown of numbers**

**Clerk:** Question 250, the Hon. D A Feetham.

1420 **Hon. D A Feetham:** Mr Speaker, following question number W126/2017, can the Government please provide details of the number of inpatients being treated at foreign hospitals or medical establishments as at January 2017 and 2018, providing a breakdown of the same?

The Government has already provided the breakdown for previous years.

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**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

**Minister for Health, Care and Justice (Hon. N F Costa):** Yes, Mr Speaker, I will answer this question together with Questions 251 to 258.

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**Clerk:** Question 251, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Government please update the answer provided to Question W127/2017 and provide details of the monthly number of in-patients being treated at Xanit Hospital in Spain for each month since August 2017?

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**Clerk:** Question 252, the Hon. D A Feetham.

**Hon. D A Feetham:** As at 31st December 2017, how many individuals were working within the GHA, the Care Agency and the ERS through recruitment consultants and how many were employed directly by those organisations?

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**Clerk:** Question 253, the Hon. D A Feetham.

**Hon. D A Feetham:** How many individuals who were employed directly by the GHA, the Care Agency and the Elderly Residential Services as at 31st December 2015 are now working within those organisations but employed through recruitment consultants, setting out their nationality?

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**Clerk:** Question 254, the Hon. D A Feetham.

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**Hon. D A Feetham:** Mr Speaker, can the Minister please provide a schedule setting out the number of nurses working in the Care Agency and Elderly Residential Services, stating whether those nurses are employed directly by the Care Agency and Elderly Residential Services on permanent and pensionable terms, a fixed-term contract or through recruitment consultants, together with their nationality?

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**Clerk:** Question 255, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, can the Minister please provide a schedule setting out the number of nurses working in each department of St Bernard's Hospital, also stating whether those nurses are employed directly by the GHA on permanent and pensionable terms, a fixed term contract or through recruitment consultants, together with their nationality?

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1465 **Clerk:** Question 256, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, can the Minister provide a schedule showing the length of contracts of all doctors employed at St Bernard's Hospital, showing the areas in which they practise, their nationality and the date they started?

1470 **Clerk:** Question 257, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, how much has the GHA, or the Government on its behalf, paid out in respect of claims made against the GHA in respect of the last two years, providing a breakdown on a case-by-case basis?

1475 **Clerk:** Question 258, the Hon. D A Feetham.

1480 **Hon. D A Feetham:** Can the Government please provide details of the average waiting times for non-urgent referrals from the Primary Care Centre to consultants or doctors at the hospital since March 2017?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1485 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, we have been unable to extract data providing details of the number of inpatients being treated at foreign hospitals or medical establishments as at January 2017 or 2018, identifying each hospital and medical establishment.

1490 Further, may I inform the House, with respect to W126/2017, that the header of the table reading 'number of inpatients' being treated at foreign hospitals should have read 'number of patients referred'. The table contained the number of patients referred to foreign hospitals who were treated as out-patients *and* in-patients, thus showing the total number of referrals.

The information for January 2017 and January 2018 is as follows: January 2017, number of patients referred, 355; January 2018, number of patients referred, 236.

1495 I now hand over to the hon. Gentleman a schedule identifying each hospital and medical establishment as at January 2017 and January 2018:

**Answer to Question 250**

**January 2017**

Hospital	Country	Patients
Addenbrooke's Hospital	UK	2
Asociacion Dario Cerebral Sobvenido	Spain	1
Charing Cross Hospital	UK	3
Chelsea & Westminster Hospital	UK	1
Clinica Gutenberg (Malaga)	Spain	2
Clinica Medrano	Spain	3
Clinica Radon	Spain	33
Clinica Universidad de Navarra	Spain	6
Dorsett Orthopaedic Clinic	UK	1
Evelina Children's Hospital	UK	10
Glenfield Hospital	UK	2
GOSH	UK	6
Guys & St. Thomas	UK	9

Hammersmith Hospital (Imperial)	UK	4
HC Hospitals	Spain	1
Hospital Carlos Haya Malaga	Spain	1
Hospital de la Virgen Rocio Sevilla	Spain	1
Hospital Materno Infantil	Spain	1
Hospital Punta Europa Algeciras	Spain	1
Hospital Quironsalud Campo de Gibraltar	Spain	1
Hospital Universitario Puerta Del Mar (Cadiz)	Spain	1
Hospital Universitario Reina Sofia	Spain	1
Hospital Vithas Xanit Internacional	Spain	133
Kings Healthcare	UK	2
Leicester General Hospital	UK	1
Leicester Royal Infirmary	UK	1
Moorfields Eye Hospital	UK	12
National Hospital for Neurology	UK	1
Papworth Hospital	UK	1
Paso A Paso Clinica de Neurorehabilitacion	Spain	1
Princess Royal	UK	1
Royal Brompton Hospital	UK	2
Royal Free Hospital	UK	1
Royal Marsden (Fulham)	UK	30
Royal Marsden (Sutton)	UK	3
Royal National Orthopaedic	UK	2
Royal National Throat, Nose and Ear Hospital	UK	8
Royal Victoria Infirmary	UK	1
Salford Royal	UK	1
St Bartholomew's Hospital	UK	1
St Marys Hospital	UK	8
St. Georges Hospital	UK	33
Stoke Mandeville Hospital	UK	1
The Wellington Hospital	UK	1
UCLH	UK	18
University College Hospital	UK	1

**January 2018**

Hospital	Country	Patients
Asociacion Daho Cerebral Sobrevenido	Spain	1
Birmingham City Hospital	UK	1
Charing Cross Hospital	UK	1
Clinica Gutenberg (Malaga)	Spain	2
Clinica Gutenberg (Algeciras)	Spain	1
Clinica Medrano	Spain	10
Clinica Radon	Spain	24
Clinica Santa Elena	Spain	1
Clinica Universidad de Navarra	Spain	2
Evelina Children's Hospital	UK	16
GOSH	UK	5

Guys & St. Thomas	UK	11
Hammersmith Hospital (Imperial)	UK	4
Harefield Hospital	UK	1
Hospital de la Seguridad Social La Linea	Spain	1
Hospital de la Virgen Rocio Sevilla	Spain	1
Hospital el Angel	Spain	3
Hospital Punta Europa Algeciras	Spain	1
Hospital Quironsalud Campo de Gibraltar	Spain	36
Hospital Quironsalud Malaga	Spain	1
Hospital Quironsalud Marbella	Spain	8
Hospital Vithas Xanit Internacional	Spain	7
Kings Healthcare	UK	1
Leeds Teaching Hospital	UK	1
Leicester Royal Infirmary	UK	1
Moorfields Eye Hospital	UK	17
National Hospital for Neurology	UK	1
Nottingham University Hospital	UK	1
Nuffield Hearing & Speech Centre	UK	1
Papworth Hospital	UK	1
Paso A Paso Clinica de Neurorehabilitacion	Spain	1
Royal Brompton Hospital	UK	1
Royal Free Hospital	UK	2
Royal Marsden (Fulham)	UK	19
Royal Marsden (Sutton)	UK	2
Royal National Orthopaedic	UK	2
Royal National Throat, Nose and Ear Hospital	UK	4
St Mark's Hospital	UK	1
St Marys Hospital	UK	2
St. Georges Hospital	UK	24
Stoke Mandeville Hospital	UK	1
The Clatterbridge Cancer Centre	UK	1
The Royal Free Hospital	UK	1
UCLH	UK	13

Mr Speaker, the breakdown for the number of patients treated at Xanit Hospital since August of last year is as follows:

<b>August 2017</b>	45
<b>September 2017</b>	67
<b>October 2017</b>	64
<b>November 2017</b>	62
<b>December 2017</b>	14
<b>January 2018</b>	5
<b>February 2018</b>	2

As at 31st December 2017, there were 1,164 individuals working within the GHA, of which 62 were employed via labour supply agencies and 1,102 who were employed directly by the GHA.

As at 31st December 2017, there were 382 individuals working within the Care Agency, of which 149 were employed via labour supply agencies and 233 were employed directly by the Care Agency.

1505 As at 31st December 2017, there were 442 individuals working within the ERS, of which 127 were employed via labour supply agencies and 315 were employed directly.

Mr Speaker, no individuals who were employed by the GHA, Care Agency and Elderly Residential Services as at 31st December 2015 are now employed by labour supply agencies.

1510 Mr Speaker, there are seven nurses working in the Care Agency, of which three are on fixed term contracts and four are on indefinite contracts. Of the seven nurses, five are British and two are of Spanish nationality.

There are 327 nurses working in the ERS of which 237 are on indefinite contracts, one is permanent and pensionable and 89 are through labour supply agencies. Of the 327 nurses, 135 are British, 102 are Spanish and one is of Polish nationality. We do not hold information on the nationalities of the nurses working through a labour supply agency.

1515 Mr Speaker, there are 355 nurses working at St Bernard's Hospital, of which 106 are on permanent and pensionable contracts, 181 are on indefinite contracts, 31 are on fixed-term contracts and 37 are through labour supply agencies. Of the 355 nurses, 230 are British, 80 are Spanish, two are Polish, one is Irish, one is French, one is Swedish, one is Portuguese, one is Romanian and one is of German nationality. We do not hold information on the nationalities of the nurses working through a labour supply agency.

1520 The 355 nurses are working in the following departments:

A&E	34
Blood Department	4
Breast/Palliative Care	3
Captain Murchison Ward	36
Critical Care Unit	39
Day Infusion	2
Day Surgery	12
Dialysis	6
Dudley Toomey Ward	33
Infection Control	2
John Ward	38
Maternity Ward	27
Medical Investigation Unit	22
Oncology/Chemotherapy	1
Operating Theatres	17
Ophthalmics	7
Pre-assessment Clinic	3
Rainbow Ward	18
Relief Cover	7
TSSU/CSSD	10
Victoria Ward	34

I now hand over to the hon. Gentleman, a schedule showing the length of contracts for all doctors employed at St Bernard's Hospital, showing the areas in which they practice, their nationality and date they started.

**GIBRALTAR PARLIAMENT, THURSDAY, 22nd MARCH 2018**

**Answer to Question 256**

<b>Grade</b>	<b>Speciality</b>	<b>Length of contract</b>	<b>Nationality</b>	<b>Start date</b>
SENIOR DENTAL OFFICER	DENTAL	INDEFINITE	Bri/Gib	13/04/1993
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	1 YEAR	Pak	05/02/1997
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Pak	25/02/1997
CONSULTANT	PUBLIC HEALTH	1 YEAR	Bri	02/02/1998
NON CONSULTANT HOSPITAL DOCTOR	SURGICAL	1 YEAR	Spa	05/02/2001
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Bri	05/02/2003
CONSULTANT	ANAESTHESIA	3 MONTHS	Bri	27/05/2003
NON CONSULTANT HOSPITAL DOCTOR	ORTHOPAEDICS	1 YEAR	Can	06/08/2003
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	1 YEAR	Spa	04/02/2004
CONSULTANT	ANAESTHESIA	INDEFINITE	Swe	04/01/2005
CONSULTANT	PHYSICIAN	3 MONTHS	Spa	01/02/2005
ASSOCIATE SPECIALIST	SURGICAL	3 YEARS	Pak	08/08/2005
CONSULTANT	PAEDIATRICIAN	3 MONTHS	Bri/Gib	05/09/2005
CONSULTANT	ORTHOPAEDICS	3 MONTHS	Ger	01/07/2006
CONSULTANT	PHYSICIAN	3 MONTHS	Bri	07/08/2006
CONSULTANT	ANAESTHESIA	INDEFINITE	Slovak	14/08/2006
CONSULTANT	ANAESTHESIA	INDEFINITE	Ger	01/09/2006
CONSULTANT	ANAESTHESIA	INDEFINITE	Fre	01/10/2006
ASSOCIATE SPECIALIST	A&E	3 YEARS	Ger	02/10/2006
CONSULTANT	PAEDIATRICIAN	3 MONTHS	Bri	01/10/2008
CONSULTANT	ANAESTHESIA	3 MONTHS	Bri	09/11/2009
CONSULTANT	RADIOLOGY	3 MONTHS	Czech	01/11/2010
CONSULTANT	ENT	3 MONTHS	Ger	01/12/2010
CONSULTANT	GYNAECOLOGIST	3 MONTHS	Bri	01/06/2011
CONSULTANT	GYNAECOLOGIST	INDEFINITE	Swe	20/06/2011
CONSULTANT	HAEMATOLOGY	3 YEARS	Spa	08/01/2012
CONSULTANT	RADIOLOGY	3 MONTHS	Czech	01/02/2012
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Spa	06/06/2012
CONSULTANT	RADIOLOGY	3 MONTHS	Bri/Gib	03/09/2012
CONSULTANT	PSYCHIATRY	INDEFINITE	Bri	01/02/2013
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Bri	09/01/2014
CONSULTANT	ENT	3 YEARS	Polish	13/10/2014
CONSULTANT	PAEDIATRICIAN	3 YEARS	Hungarian	20/10/2014
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Bri	12/01/2015
NON CONSULTANT HOSPITAL DOCTOR	SURGICAL	1 YEAR	Bri	10/03/2015
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Spa	01/07/2015
NON CONSULTANT HOSPITAL DOCTOR	A&E	1 YEAR	Spa	02/07/2015
CONSULTANT	PHYSICIAN	3 YEARS	Bri/Gib	10/08/2015
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	1 YEAR	Cyp	11/08/2015
ASSOCIATE SPECIALIST	MEDICAL	3 YEARS	Bri	01/10/2015
ASSOCIATE SPECIALIST	UROLOGY	3 YEARS	Hung/Bri	29/08/2016
CONSULTANT	OPHTHALMOLOGY	3 YEARS	Spa	24/10/2016
CONSULTANT	GENERAL	3 YEARS	Spa	16/01/2017
CONSULTANT	SURGICAL	3 MONTHS	Hungarian	17/01/2017
CONSULTANT	ANAESTHESIA	2 YEARS	Spa	01/04/2017
ASSOCIATE SPECIALIST	ORTHOPAEDICS	1 YEAR	Polish	24/04/2017
RESIDENT MEDICAL OFFICER	ORTHOPAEDICS	11 MONTHS	Bri	10/05/2017
CONSULTANT	SURGICAL	2 YEARS	Bri	26/06/2017
CONSULTANT	NEPHROLOGY	INDEFINITE	Bri	10/07/2017
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	11 MONTHS	Indian	24/07/2017
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	11 MONTHS	Bri	24/07/2017
RESIDENT MEDICAL OFFICER	SURGICAL	11 MONTHS	Bri	31/07/2017
CONSULTANT	PATHOLOGY	3 YEARS	Polish	01/08/2017
RESIDENT MEDICAL OFFICER	ORTHOPAEDICS	11 MONTHS	Bri	07/08/2017
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	11 MONTHS	Indian	14/08/2017
CLINICAL FELLOW/REGISTRAR	ANAESTHESIA	1 YEAR	Bri	01/09/2017
CLINICAL FELLOW/REGISTRAR	ANAESTHESIA	1 YEAR	Pakistani	01/09/2017
CONSULTANT	PHYSICIAN	3 YEARS	Bri	05/09/2017
CONSULTANT	ORTHOPAEDICS	2 YEARS	Romanian	12/09/2017
CLINICAL FELLOW/REGISTRAR	ANAESTHESIA	1 YEAR	Bri	02/10/2017
CONSULTANT	SURGICAL	3 YEARS	Bri	16/10/2017
CLINICAL FELLOW/REGISTRAR	ANAESTHESIA	1 YEAR	Slovakian	07/11/2017
CONSULTANT	A&E	2 YEARS	Bri	13/11/2017
CONSULTANT	ORTHOPAEDICS	3 YEARS	Bri	18/12/2017
NON CONSULTANT HOSPITAL DOCTOR	MEDICAL	11 MONTHS	Bri	15/01/2018
NON CONSULTANT HOSPITAL DOCTOR	A&E	7 MONTHS	Romanian	01/02/2018
CONSULTANT	GYNAECOLOGIST	3 YEARS	Bri	01/02/2018
CONSULTANT	PAEDIATRICIAN	3 YEARS	Spa	19/02/2018



1525 Mr Speaker, the GHA, or the Government on its behalf, has paid out in respect of claims made against it in respect of the last two financial years £400,000, broken down into eight payments of £50,000 each.

1530 Mr Speaker, for the sake of completion, I provide to the hon. Gentleman the average waiting times for urgent and non-urgent referrals. Waiting time for referrals from Primary Care to St Bernard's Hospital, per speciality, is as follows:

Speciality	Average waiting times routine referrals March 2017	Average waiting times routine referrals February 2018	Average waiting times urgent referrals February 2017/2018
General Physician	Six to eight weeks	Four to eight weeks	One week
General Surgery	12 weeks	Four weeks	One to two weeks
Gynaecology	16 to 20 weeks	Three weeks	Two weeks
Orthopaedic Consultant	*52 to 60 weeks	42 weeks	One week
Ear, Nose and Throat Consultant	Five to ten weeks	Four to eight weeks	One week
Paediatrician	Eight to 12 weeks	Six weeks	No waiting time

\*Orthopaedic Consultant – Mr Speaker, I need to inform the House that with respect to this part, I stated the average for Orthopaedics was eight to 20 weeks, when in fact the average waiting time was 52 to 60 weeks. My apologies.

1535 **Hon. D A Feetham:** Mr Speaker, in order for the hon. Gentleman not to surrender the advantage that he has of having the written answer there and giving it to me before I start with my supplementaries, will he be so kind as to give me the answers after the session finishes, so that I can take that? Thank you, I am very grateful to him.

1540 Well, just dealing with the recruitment consultants, as I understand it, there are 149 employees employed within the Care Agency through recruitment consultants out of a total workforce in the Care Agency of 382. That means that 39% of people within the Care Agency are effectively working via recruitment consultants.

1545 Then in relation to elderly residential services, I think the figure that the hon. Gentleman gave me, and I would appreciate it if he could confirm it, is 127 employed via recruitment consultants out of a total workforce of 422 – the percentage there is 30%.

Now, does the hon. Gentleman agree with me in the first instance that we are dealing with significantly high percentages of workers working within these two sectors employed through recruitment consultants?

1550 **Hon. N F Costa:** No, Mr Speaker, I do not agree with him, for the simple reason that I have explained in the past every time he has asked me in the House – I know that he said in a recent video which was shared with me, which they would have called perhaps a grubby little podcast when they were in Government, but I welcome the video and he said in the video that we never answer the questions in respect of how many people are employed via labour supply agencies. Let me tell him, that is not correct.

We have gone back through *Hansard* and I have answered that question every single time he has asked me that particular question. He has asked me that particular question ... 15 times he has asked me and 15 times he has got the answer.

1560 So I hope that on the next occasion that he makes a video, which they will have called a grubby little podcast, he at least has the decency to rectify the incorrect statement that he attributed and the *mala fides* that he attributed to me in that respect.

1565 The reason why I do not agree with him, Mr Speaker, is for the reason that I have explained to him in the past on those 15 occasions. The Care Agency provides domiciliary care. As he knows, the domiciliary care budget has gone from £600,000 when they were in Government, to £2.6 million now. The number of persons receiving domiciliary care has increased up to, if I recall

correctly, over ... In fact I have the exact figure. In the last calendar year, there were 478 persons receiving domiciliary care. So these are 478 persons in the community who receive domiciliary care by carers.

1570 Therefore, it has represented a huge increase in the number of people who are able to receive care and continue to live in their houses, which I am sure we can both agree is in fact a very good thing because we are providing carers at home and within the community we avoid the possibility that as a result of the lack of care they may end up in hospital where we should only have people who require medical and clinical care, rather than other types of care.

1575 And as a result, care workers in the Care Agency amount to 135. Those carers are the ones that are employed through the labour supply agencies. If we did not have that facility of having labour supply agencies providing that care, then what he is asking us is to directly employ 135 persons. If we were to do that, the bill to the taxpayer, in order to provide what I think is an excellently beneficial service to the community, would not be £2.5 million; it would be a lot, lot more. And I think that for the reasons that he alluded himself earlier, that we have to provide services in a sustainable way, we are persuaded that providing services through labour supply agencies is the correct one to take.

1580 We provide the care that persons need in the community and we also take care of taxpayer's money.

1585 **Hon. D A Feetham:** Well, Mr Speaker, thank you very much to the Minister for that answer. Indeed, I have asked questions in relation to how many people have been employed through recruitment consultants, and recruitment consultants generally on a number of occasions, because it is a matter that is of concern to Her Majesty's Opposition and it is a matter that is of concern to the people that are employed through recruitment consultants.

1590 Indeed, it is a concern to those service users who want to see continuity of service and, therefore I would suggest to the hon. Member that it is a concern all round. It does appear that that concern is justified because these are very, very high numbers – 39% in the Care Agency, 30% in the Elderly Residential Services.

1595 Mr Speaker, he may have provided me with these figures in the past, but in fact I am still waiting for an answer to a question that I lodged last time round, which was a question about how many people are employed through recruitment consultants in the Government generally and in public authorities generally, and I am still waiting for the answer. That answer has not been provided and I do not know whether that answer will be provided at close of business this session.

1600 But I do not agree with the characterisation that the Government provides the answers to the questions. The Hon. Minister, in fairness to him, may provide answers to questions that I have asked in relation to this, but other members of his Government do not and it is not my fault if the Government is politically schizophrenic in that regard.

1605 Mr Speaker, what has the Government put in place in order to ensure that there is continuity of service to service users and that service users do not suffer as a consequence of having people employed through recruitment consultants, that by that very nature, is going to be short-term employment? Because if the Minister says it is not short-term employment, then that raises other issues in relation to the exploitation of workers who are being placed in these positions.

1610 **Hon. N F Costa:** Mr Speaker, it lies ill in the mouth of the hon. Gentleman to call this Government schizophrenic – (**Hon. D A Feetham:** Politically.) politically schizophrenic, when we have a PDP Leader of the Opposition, a Labour Party that merged with the GSD and therefore, let us not talk about political schizophrenia, Mr Speaker, because the party opposite has given us much in the subject. Indeed, it would take an entire conference of psychologists to examine the schizophrenia that is prevalent in that particular party. (*Laughter*)

1615

Mr Speaker, I note the hon. Gentleman's concern in respect of continuity of care and it is not a point that I wish to be confrontational with him on, because I think we are all agreed that if we can provide continuity of care to persons who are in our charge, we should.

1620 But of course, the hon. Gentleman in my view, misses the obvious point. Even if the Government were to triple the budget for domiciliary care from £2.5 million to £6 million, because we directly employ persons by any of the agencies on which he has asked me questions, people still get sick, they go on leave, they have other commitments. So you would never have a situation, never, where there will only be one person providing a continuity of care. And indeed, 1625 Mr Speaker, it happens all over my responsibilities, including of course in the GHA.

I have to make the point at times that nurses for instance, do not work directly or just for a ward; they work for the GHA. The GHA also now encompasses ERS and therefore persons employed by the GHA or the ERS may have to provide the services in other parts of my responsibilities.

1630 But do we try to ensure continuity of care? It is the policy of the Government that we try to ensure it. That is the directive that is issued to the care provider and they try to do so insofar as is possible, but the point I am trying to make to him is this: if you were to migrate all of the persons provided through labour recruitment supply firms and they were to be craned over to the GHA, the same issues would arise, whether they were directly employed or not.

1635 In other words, the form of employment in no way changes the issues that arise in terms of continuity of care. Therefore, given that that is the case, there is no reason why we would change a demonstrably excellent arrangement with labour supply firms, who are able to provide care to the persons in our community who deserve it and who of course provide it at what we think are eminently reasonable prices that always ensures the best interests of our community.

1640 **Hon. D A Feetham:** Mr Speaker, I am afraid that the preamble to his answer provokes a preamble from me, and that is, we might as well all go to joint counselling, because the point that the hon. Gentleman makes comes from the Liberal contingent of the Government, and that Liberal contingent has not always been *ad idem* with the GSLP side of the contingent, indeed 1645 fighting elections against it in 1992 and in 1996.

But Mr Speaker, there is an important distinction. I understand that you are always going to need, within any organisation, supply workers. That is undoubtedly the case, it happens in the private sector, it happens in the public sector. But what we are dealing with is, significant amounts of labour through recruitment consultants, I mean it is 39% and what I want to know, is 1650 what the Government is doing to ensure that that does not lead to any prejudice in the service that is provided to service users. Because by the very nature of recruitment consultants, you are much more likely to have a higher turnover of staff than of course if they were employed in a different way.

I have more supplementaries in relation to this: when the hon. Gentleman gives me the 1655 answer, I will move on.

1660 **Hon. N F Costa:** Mr Speaker, the hon. Gentleman is full of questions to which I have already given answers to. When I rose, it was not a preamble to an answer; it was my answer. I have told him on every single occasion he has asked me and I have told him that he has asked me on 15 separate occasions, that the Government is entirely satisfied with the services that have been provided through the labour supply company. I wish the hon. Gentleman would stop calling it a recruitment agency; they are not recruitment agencies. They are labour supply companies.

And of course, the Care Agency, the GHA and the ERS provide a supervisory function and role and provides the relevant directors to those labour supply agencies as to how their job is to be 1665 discharged. I would be the first one to know if there were any problems with any of the companies that provide labour to the Government that it then provides to members of our community. I am glad to tell him, Mr Speaker, that I have not received complaints about those companies that provide labour to the Government. Therefore, as I have said, we are perfectly

1670 satisfied with the arrangements that we have in place, and moreover, I am perfectly satisfied  
that the supervision that is carried out respectively by the GHA, ERS and the Care Agency is  
adequate and sufficient to ensure that the persons that receive those services are perfectly safe  
and that they are receiving the care that they need.

1675 **Hon. D A Feetham:** Mr Speaker, moving on now to the labour side and looking at it from the  
point of view, not from the service user but from the point of view of the employee. In this type  
of area, you have a situation where the Government pays the recruitment consultant x amount  
for the labour provided by a specific worker. Then that worker is paid by the recruitment  
consultants a lesser amount, because for each worker that is placed through the Care Agency  
and the Elderly Residential Service, the recruitment consultant will make a percentage.

1680 What safeguards does the Government have in place, or does the Government take an  
interest in ensuring that those workers that are working within the Care Agency, Elderly  
Residential Services, in these numbers are not exploited by recruitment consultants and that  
they get a fair amount of pay for their labour for the work that they do in these particular jobs;  
and that of course the recruitment consultant does not cream off the Government and also the  
1685 worker?

**Hon. N F Costa:** Mr Speaker, in the first place, exploitation is quite a strong word for the hon.  
Gentleman to use. And once again, they are not recruitment agencies; they are labour supply  
companies to the Government.

1690 I really have resisted telling him this since he asked me supplementaries, but he does recall,  
does he not, that we inherited the system of domiciliary care from them? (*Interjection by Hon. D  
A Feetham*) Of course not, because we provide more care (*Interjection*) but because we provide  
more care because we care more. Therefore, we saw a need to have to increase the domiciliary  
care package for other members of our community and that meant having to spend more  
1695 money and we did so. Therefore, the fact that there are more carers providing care is, in fact I  
would have thought a very good thing indeed.

But, Mr Speaker, as I said, he has to remember that we inherited that system from him. And I  
am telling him that we are satisfied with the system in respect of obtaining labour from labour  
supply companies.

1700 And once again, I think it lies ill in his mouth to ask me the last bit of his question, because in  
fact we have been criticised in that same video that he made where he accused me of not  
providing him the answers over which I have answered 15 times, of questioning going for – wait  
for it – value for money. And now he is asking me whether we are on top of obtaining value for  
money.

1705 Mr Speaker, I know that you do not want me to go back to when they were in Government,  
but even during the course of one supplementary question, they are inherently contradictory.  
So, Mr Speaker, he cannot now – or maybe he will because he certainly has no inherent  
consistency in what he says inside or outside of this House, but given that he does put a price  
and a premium now on value for money, yes that was the reason why we seek bids on the basis  
1710 of providing the best value for money for the taxpayer of Gibraltar. Therefore, he can rest  
assured that I certainly, in respect of the bids in which I have been involved and which I have had  
advice from my officials in respect of those particular bids, that I am satisfied that the taxpayer  
of Gibraltar has obtained value for money, and the Government is *not* getting creamed off.

1715 **Hon. D A Feetham:** Mr Speaker, he is unfortunately sidestepping the issue and the core of my  
supplementary question. Undoubtedly what we have is a situation where the Government, let  
us say in theory, pays £10 to the recruitment consultant – that is what they are, recruitment  
consultants – and the recruitment consultant may pay the minimum wage an hour to the  
worker. That means that the recruitment consultant keeps in its pocket, the balance between  
1720 the minimum wage and the £10.

1725 What I am asking him is, what is the Government doing to ensure that workers are not exploited in this kind of situation? Because on the one hand, workers are exploited and on the other, it is undoubtedly the case that these recruitment consultants are making an awful lot of money at taxpayers' expense. And indeed, more so than I thought because I look at these figures and we are talking about very high levels of workers in these areas through recruitment consultants.

Mr Speaker, what is he doing to prevent exploitation of workers in this situation?  
(*Interjection*)

1730 **Hon. N F Costa:** Mr Speaker, asking for bids in respect of processes of which he has asked us not to do so: in the first place, Mr Speaker, no, I am afraid that I will have to insist, and it really does pain me to have to explain the rudimentaries of employment law to a QC, but they are not recruitment consultants; they are labour supply companies. If they were recruitment consultants, they would be recruiting labour directly for the Government, which is exactly what  
1735 he is criticising us for!

So no, they are not recruitment consultants; they are labour supply companies.

And the only reason why I am insisting on the point is only because he has insisted on making the point that they are called recruitment consultants. Well. I do not know from where he got that term, but certainly not with any company that I deal with which are recruitment  
1740 consultants.

Mr Speaker, the law of Gibraltar I can assure him is being applied by the labour supply companies which provide labour to the Government, and as I have told him in my answer before, and I think he is intent today on not listening to me, that in respect of the bids in which I have received advice and in respect of which I have been involved, I am satisfied that the  
1745 employee is not being exploited. I have answered that question already, Mr Speaker.

**Chief Minister (Hon. F R Picardo) :** Mr Speaker, is that a convenient moment for the House to recess for 15 minutes?

1750 **Mr Speaker:** I would rather finish the supplementaries.

**Hon. Chief Minister:** I thought we had, Mr Speaker.

**Mr Speaker:** The Hon. the Leader of the Opposition has one. As soon as we have finished  
1755 with these, we will recess.

**Hon. D A Feetham:** One more, Mr Speaker – just one more.

**Mr Speaker:** One more and then we can move on.  
1760

**Hon. D A Feetham:** I do not want to hog this area of today's session.

But yes, Mr Speaker, can he therefore assure this House that he is satisfied that there are no situations out there, under his responsibility, where employees are being paid the minimum wage and you have a situation where the recruitment consultant or the labour suppliers, or  
1765 whatever you want to call it, (*Interjection*) is not taking a substantial amount over and above that which could go into the pockets of those workers?

And is he satisfied that there are no exploited workers through recruitment consultants or whatever he wants to call them, in Gibraltar within the areas of his responsibility?

1770 **Hon. N F Costa:** Mr Speaker, I am going to have to reply to the hon. Gentleman in the manner that I have already done so.

1775 The community has a choice and it is a very simple one. We either continue to provide domiciliary care to – I gave him the exact number before – the 470 persons who receive domiciliary care, which I think we must all agree is a very good thing. Providing care in the community prevents other harms, which are that people are not cared for at home and therefore end up in hospital, where we should have people who are medically unwell and should only be there for the length of the time that they are medically unwell and then discharged home.

1780 The reason why we have been able to maintain a high bed resiliency in the hospital is directly linked to the provision and the increase of domiciliary care. Because once the person is medically discharged and is well enough to go home, that person for the most part tends to be elderly persons who would require care. Without that domiciliary care, they would simply be unable to go home, which is why the numbers keep increasing.

1785 Therefore, as I told him during the course of one of my supplementary answers, if the hon. Gentleman is suggesting that those 135 care workers should be employed directly – and there is no other way to consider his question, it is binary, Mr Speaker, you either have them through labour supply companies or you have them directly employed – if you have them directly employed, as he must surely understand, the bill would likely go from £2 million to £6 million, without addressing the only genuine concern which I think he has raised, which is about continuity of care.

1790 Because the method of employment does not affect the quality of the care or the issues that arise as to continuity of care, because a person directly employed or through an agency is going to be as ill or not as ill as many times, irrespective – (*Interjection*) yes, yes, irrespective of his employer.

1795 **Hon. D A Feetham:** I will tell him one of the ways that he can do it – and of course other ways, will be in our excellent manifesto at the next election. (*Interjections and laughter*) But hang on a minute, he has spent, I dint know how many years trying to get rid of me and now he wants me to stand! I just cannot believe it – talk about schizophrenia!

1800 Mr Speaker, yes, you can deal with the inequities of the current situation by actually making it mandatory and forcing the recruitment agency or whatever he wants to call it, to pay the worker say a percentage, but a high percentage of the amount that the recruitment agency is paid for that worker.

1805 So say for example, if in the contract it said, ‘You have got to pay your worker 80% or 85% of what we pay you as an hourly rate for that worker’, that worker then gets 80% or 85% in his pocket. But at the moment, I suspect – I do not have the figures – that there are individuals out there that are being paid the minimum wage –

1810 **Mr Speaker:** Which is?

**Hon. D A Feetham:** – which is just over £5, I think it is, the minimum wage. (*Interjections*) £6, absolutely. And then you have a situation where the recruitment agency is for example charging £10 or £12 an hour for that individual. I find that as not being fair. I find that iniquitous. It is iniquitous for the worker and it is actually, in my view, iniquitous for the taxpayer.

1815 **Hon. Chief Minister:** Mr Speaker, can I give the House a piece of information, which predates the hon. Gentleman’s position as Minister for Health.

1820 One of the key things we did when we were elected was that we spoke to those labour supply companies, which the hon. Gentleman likes to call recruitment agencies, and we told them that the fees they were charging them, when they were in Government – which were in the region of £15 to £16 per worker – were too high and that they had to reduce them. The amount that he is talking about now, whether it is £12 or £10 is the greatly reduced price that

we imposed so that they would not pocket (*Interjection*) a larger chunk of the amount paid by the taxpayer.

1825 And so, Mr Speaker, I will take from what he has taken a backhanded compliment and I hope the information I have provided to the House is helpful in his formulation of questions.

**Mr Speaker:** The Leader of the Opposition has a supplementary.

1830 **Hon. E J Phillips:** Mr Speaker, in relation to the Minister for Health's suggestion relating to the continuity of care point, particularly given his suggestion that we are receiving excellent service in relation to the labour supply company that is providing these individuals to work in our institutions, is the Government satisfied and is he satisfied as to the standards that are being met by those particular employees that are working from the labour supply company?

1835 I am interested to hear how the Government monitors the standards of the service that are delivered to the service users, Mr Speaker. That is the nature of the question.

**Hon. N F Costa:** Mr Speaker, I am happy to provide him with an overview and if he wants to ask me in the next session of Parliament, I will give him the exact way that it is done because I would like to get the feedback from the professionals that do it.

1840 But in terms of overview, I think that the standards that are being demanded by the Care Agency or the ERS, etc. are the standards that ought to apply, save that I do think that we could do better work in that respect. To that extent, without wishing to reveal a statement that I hope to make in due course, there is considerable work being undertaken in terms of formalising those standards and to have certain benchmarks that are made public by which we can measure that performance.

1845 So whereas at this point in time I am happy *de facto* with how the supervision and the checking is currently being conducted by the professionals in the Care Agency, because I do trust them to be doing an excellent job in that respect and I think that they do exactly what is asked of them, I think we can ask more of ourselves in terms of our community, by setting standards higher in terms of the benchmarks by which we will measure carers.

1850 That is very much a work in progress and I am working with that with certain professionals to agree a framework in that respect – very much as I am sure he will know about the Quality Care Commission and we will not be reinventing the wheel. We are in fact looking at those standards in the UK to be able to translate them *mutatis mutandis* to make sure that they apply in a smaller community like Gibraltar.

1855 So am I satisfied *de facto*? Yes. Am I satisfied *de jure*? No. I think that there is work to be done there to be able to have quality benchmarks by which we can measure the work being conducted by carers. So I think he does alight on an important point.

1860 **Mr Speaker:** The Hon. Lawrence Llamas –

1865 **Hon. E J Phillips:** Mr Speaker, just one if I may. Is it right in suggesting that the information in relation to the adherence to the minimum standards of care, and I appreciate the comments that the Minister has made to give us some reassurance as to how that is operating at the moment, but the Minister will agree with me that these people are dealing with probably some of the most vulnerable people in our community, particularly patients and therefore, would he agree with me that adherence to minimum standards is fairly limited at the moment and the supervision of it is fairly limited?

1870 **Hon. N F Costa:** Mr Speaker, I think that the hon. Gentleman, if I may turn it around, should agree with us: that the care that is being provided is proving to be a high-quality level of care, as I told him. Our community is vibrant in many respects, one of which is to write to me in the event of any dissatisfaction with any part of the service and I have to tell him, Mr Speaker, and in

1875 fact I have shared this with the Hon. the Chief Minister on many occasions, that I do receive high  
praise for the services that are provided by some of the companies that provide labour to the  
Government.

1880 But as I have already conceded to him, I am not trying to be difficult, we are working on  
benchmarks that I would like to enshrine in an overarching framework by which we can measure  
the work being carried out by the carers.

1885 **Hon. L F Llamas:** Mr Speaker, I am really grateful that the Hon. Minister has actually said that  
he is looking into the care quality of the provision, I think that is a really good initiative. I brought  
that into the House in my maiden Budget speech in 2016 and I am really grateful that he is  
seriously looking into this.

I just want to ask the Government in relation to a statement they made last week, which  
reads as follows: they will 'no longer tolerate zero-hour contracts and expect all employees to be  
contracted part time or full time.'

1890 I think, Mr Speaker, this will go a long way in providing certainty and stability to the workers  
but will also transcend into the continuity of care. This statement was made in a particular case  
which is the new contract being given for John Mackintosh Wing. Is this a new policy that the  
Government will be employing all across the board as it goes, renewing contracts moving  
forward?

1895 **Hon. N F Costa:** Mr Speaker, I do not want to speak for my hon. colleague, but I can tell him  
that it is not just in relation to the John Mackintosh Home bid. Also, in respect of Hillsides and in  
respect of Bella Vista, we have always been very clear to the company that we expect nothing  
less than employees to have contracts that set out either whether they are going to be full time  
or part time and of course whether the contract is one or the other will depend on the needs of  
1900 the service, but also taking into account the wishes expressed by the particular employees.

**Mr Speaker:** We will now have a recess of 20 minutes. When we come back, we will be  
dealing with Question 259.

*The House recessed for 20 minutes.*

#### **Q259-260/2018**

#### **Hearing aids –**

#### **Details of devices, needs assessments and costs**

1905 **Clerk:** Question 259, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to the answer provided to Question No. 150/2018, can  
the Minister for Health give details of any other assistive devices provided by the Health  
Authority for those suffering from hearing impairments and associated hearing conditions;  
together with details of how the person is assessed for their needs and what the costs to the  
1910 individual could be?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1915 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this  
question together with Question 260.

**Clerk:** Question 260, the Hon. E J Phillips.



1920 **Hon. E J Phillips:** Mr Speaker, the Government has confirmed that those with hearing impediments are provided with a £420 contribution towards hearing aids. Can the Government state whether or not, in the event that higher grade and more costly hearing aids are medically recommended, that the GHA will meet the costs?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1925 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, at present, the Audiology Department only issues hearing aids and tinnitus maskers or a combination of hearing aid with incorporated masker. These are issued free and do not require income assessments.

1930 In the case of children needing assistive devices in school, such as radio hearing aids, these are usually obtained by the Audiology Department, but paid for by the Department of Education. The type of assistive device required is recommended by the paediatric assessment team at the Nuffield Centre in London.

The Audiology Department has been called upon for advice by other Government Departments in respect of assistive devices. In such cases, the GHA is not involved in the assessments for entitlement or installation of the devices.

1935 Mr Speaker, in respect of Question 260, yes.

**Hon. E J Reyes:** In respect of my question 259, Mr Speaker, I am glad to hear that the radio hearing aids and so on are in conjunction with the Department of Education, but what happens to those individuals who are beyond education age?

1940 I know a hearing assistance device can be extremely useful, but there are many cases where for example the ability to be able to connect to the loop induction system is highly recommended. Would perhaps a similar process with feedback coming in, recommendations coming in from medical practitioners to the Audiology Department, would that in itself be helpful to allow these individuals to at least get part subsidy or whatever to additional devices as in extreme cases, they are a necessity in order to have a decent quality of life?

1950 **Hon. N F Costa:** Mr Speaker, I will certainly pass his comments to the relevant Department and clinician. Given that we do provide advice in respect to radio hearing aids obtained by the Audiology Department, I do not see why if that is not a service that will not be provided by the GHA. Certainly if there is a clinical need for it then the GHA in fact ought to pay for it.

So I will take his comments back to the Audiology Department and ask the question and I will write to him.

1955 **Hon. E J Reyes:** I am extremely grateful, Mr Speaker, that the Minister is going to look into that. Can we as well with your leave, Mr Speaker, come to like a gentleman's agreement that we will leave it in abeyance until perhaps the Budget session, by which time he will have had an opportunity to look at it and we can raise this matter then as a way forward to those of us with hearing impairments.

1960 **Hon. N F Costa:** Mr Speaker, depending on our day tomorrow – and by that, I mean depending on whether we come to this House or whether we go back to the office – I am sure that I will be able to have an answer for him either tomorrow or in the early part of next week.

**Q261/2018**

**Primary Care Centre proposed move –  
Public consultation**

**Clerk:** Question 261, the Hon. E J Phillips.

1965 **Hon. E J Phillips:** Mr Speaker, can the Government state whether it has consulted the public at large in respect of the proposed move of the Primary Care Centre?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1970 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, there have been extensive and intricate consultations with all multi-disciplinary teams with respect to design and layout over the last 14 months, for both the Primary Community Centre and the Paediatric Centre. Feedback received from our service users as to the present Primary Care Centre was also factored during the design stages.

1975 Mr Speaker, as I never tire of saying, I feel incredibly privileged to serve our community and to work with so many excellent professionals to improve our healthcare services. The new Primary Care and Community Centre is the culmination of our endeavours towards enabling clinicians to guide and lead our patients' needs, while always placing them at the heart of everything we do.

1980 I am enormously pleased to see that the diligent work and devotion of our healthcare professionals and our dedicated staff at the Gibraltar Health Authority have enabled this incredibly exciting project to come to fruition.

I am confident that we will deliver a Primary Care Centre and Paediatrics Centre, which will enhance our services to our community and serve us well for now and also in the future.

1985 **Hon. E J Phillips:** Mr Speaker, I carefully listened to his answer insofar as the extensive intricate views taken from the teams within the GHA and that service users views were factored in. My question related to public consultation so therefore the answer to the question is, we assume, no – is that right?

1990 **Hon. N F Costa:** Yes, Mr Speaker, he is correct. There was no formal public consultation in respect of the move to the new PCC. That is correct.

1995 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer. Can I just ask purely from a financial point of view, as to what the anticipated costs of this move will be and whether it will be borne by the Improvement & Development Fund, the Health Authority itself or some other source?

2000 **Hon. N F Costa:** Mr Speaker, he asks me, as is his wont and expertise in respect of financial matters, of which I do not have the information before me so I cannot tell him from which fund the monies will come from.

2005 What I can tell him, however, Mr Speaker, is that the reason why the announcement was not made until 14 months after I was appointed Minister for Health is because during the course of those 14 months, apart from working very hard on the designs of the new PCC, which will be a bespoke facility for primary care health and also for paediatric health, integrating primary and secondary in-patient care for children in this hub, the developer will be the entity that pays for the new build and therefore, the Government will not be paying for the capital of that build but will instead, be paying a rent. During the course of those negotiations we have spent a lot of time trying to knuckle down on the best possible rent to be paid to the developer, once the new PCC is built.

2010 I have to tell him also that there is a capital investment that the Government will be making, I do not know from which subhead or from which fund that capital money will come from, but that

capital investment relates to the entrance to the new primary care centre which is going to be on the front of the existing hospital so that patients can access the new PCC from there.

2015 So there will be some investment in that respect and there are also other items of capital expenditure which I do not have in front of me, so I will not hazard guesses now because I do not want to unintentionally mislead the House, but if he asks me in the next session of the House I will be able to tell him exactly where the capital investment is and how much rent we will be paying.

2020 **Hon. R M Clinton:** Mr Speaker, I am extremely grateful to the Minister for his answer, as it does give me something to work on and I guess I understand the logic in replicating the model that was used to finance the hospital itself, a form of sale and lease back I imagine, but I will ask more direct questions on that in the future.

Can I ask the Minister, does he have a timeframe for the building of the infrastructure that will be required to facilitate the move from the Primary Care Centre?

2025 **Hon. N F Costa:** Mr Speaker, before I answer the question that he has asked, to be clear this is not a sale and lease back arrangement. This is a developer building a new build which will be used by the Government, but it is not like the present arrangement for St Bernard's Hospital where the Government currently pays, if I recall correctly, over £4 million a year. So we are not using that template; in fact we will be paying a rent.

2030 Now, whether or not the Government has the option to buy that at a particular point in time, I cannot remember the term. Again, if he were to ask me those specific questions I will come back to this House and provide him with the answers.

2035 And in respect of timeframes, if I recall again the heads of terms correctly, I do recall that the paediatric hub will be ready by the end of March, I think, of next year and the new PCC will be ready by the end of June of next year.

I am talking from memory and therefore I would not like to be quoted in that respect. But again, if he asks me specifically I will check the heads of terms and of course I will be able to provide an answer to the hon. Gentleman at the next sitting of the House.

2040 **Hon. E J Phillips:** Mr Speaker, just one further question. Obviously, the announcement that the Government made in relation to the PCC and Paediatric Centre has confirmed that the new Primary Care Centre is due to open in the first half of 2019. The Minister does not expect any slippage into the second half of 2019 – I know that he was not too sure in the answer to Mr Clinton's question, but he does not expect that to move into the second half of the year?

2045 **Hon. N F Costa:** No, Mr Speaker, the hon. Gentleman is right in noticing a hesitancy, but not the reason why. The reason why I was hesitant was because I do not want to tell the hon. Gentleman a particular month, to then check the heads of terms and find that it was actually the end of May and not the end of March.

2050 But as I say, from memory, the heads of terms stipulate that both centres will be delivered to the Government in the first part of the next year, but I cannot recall the exact months. If he asks me in the next session I will have the answers for him.

**Q262-264/2018**

**GHA services –**

**Repatriation; children's alcohol/drug misuse and mental health**

**Clerk:** Question 262, the Hon. E J Phillips.

2055 **Hon. E J Phillips:** Mr Speaker, can the Government state which services the GHA are currently recommending or contemplating repatriating?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

2060 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this question together with Questions 263 and 264.

**Clerk:** Question 263, the Hon. E J Phillips.

2065 **Hon. E J Phillips:** Mr Speaker, can the Government state the number of people under 18 years of age that have been seen by Accident and Emergency as a result of alcohol and drug misuse for every month in the last 12 months?

**Clerk:** Question 264, the Hon. E J Phillips.

2070 **Hon. E J Phillips:** Of those children currently in care, can the Government state the number that present with mental health issues?

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

2075 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the GHA is contemplating the feasibility of repatriating as many services to Gibraltar as possible including interventional cardiology, MRI, spinal surgery, paediatric surgery and extending our urology services.

2080 To date, the GHA has repatriated the following services: Urology Service – February 2016; Chemotherapy – September 2016; Bariatric Surgery – January 2017; Colorectal Surgery – June 2017; Breast Surgery Services – January 2018; Paediatric Cardiology clinics – January 2018; Vascular Surgery Services – January 2018; and Thyroid Surgery – February 2018.

2085 Mr Speaker, there have been a total of 50 attendances to the Accident & Emergency Department of people under the age of 18 as a result of alcohol and drug misuse in the last 12 months.

There are no children in care with mental health issues.

2090 **Hon. E J Phillips:** Insofar as the Minister's answer to Question 262/2018 is concerned, am I right in thinking, Mr Speaker, that of those that the Government intend to repatriate in relation to paediatrics or cardiology and neurology, that that would fit within the existing repatriated services and therefore, would that mean that there would not be an additional cost to those repatriations. Of course, there will always be an element of cost to those services because the policy of the Government is to ensure that our service can be offered as wide as possible to the community.

2095 But does the Government factor in the fact that the existing infrastructure in the teams will be able to perform those newly repatriated services?

2100 **Hon. N F Costa:** Mr Speaker, I think that I have understood the hon. Gentleman's question, but in respect of the services that I have mentioned to him that we have repatriated, certainly in my time since January 2017 to February 2018, unless my staff correct me and they will send me an email if I am incorrect, every single repatriation has required additional human resources.

2105 Therefore, I think we can safely assume, although I will double check this for him because I do not want to unintentionally mislead the House, all of the other services that we wish to repatriate – interventional cardiology, MRI, spinal surgery and paediatric surgery – will require additional human and of course capital resources, because we will require the equipment to be

able to provide those services and also the concomitant costs in respect of maintenance and servicing.

2110 **Hon. E J Phillips:** And I assume, Mr Speaker, that it would seem to me, from someone who does not have the figures to hand in relation to for example spinal surgery or complicated paediatric surgery, that there would be a significant cost to not only the infrastructure and the hiring of human resources to deal with these types of operations, but does the Government consider, when it is weighing up repatriation, the ability to outsource these issues and the cost of that outsourcing vis-à-vis the hiring of further human resources in terms of cardiologists, 2115 consultant surgeons in relation to those services that he wishes to repatriate?

**Hon. N F Costa:** Mr Speaker, the decision to repatriate is not a complicated matrix as such but there are various variables that are taken into account.

2120 One of them is whether or not it is the policy of the GHA to provide services in-house. The answer of course is that yes, it is preferable always to be able to provide medical, clinical and surgical services at home so that patients do not have to undergo the stresses of travel. So that will always be the answer to that particular question.

2125 Then the question becomes: if that is the policy will the repatriation be more expensive or less expensive and if it is more expensive, is it prohibitively expensive or is it an expense that is although greater, manageable.

2130 We have found so far – and that is not to say that it will always be the case – that the services that we have repatriated, although it will increase the cost in terms of salaries and equipment because we are bringing over surgeons and nurses and any other clinician that is required to provide a service within the GHA, that the cost of sending a Gibraltar patient out with all the inconvenience and stress that that entails, is in fact beneficial to the taxpayer. In other words, to date, all the repatriated services are more cost effective than referring one of our patients to a tertiary centre.

2135 But the reason why I say that it is not a straightforward formula, is because of course there is also the other option of having visiting consultants which we have also increased. And I know he did not ask me about that, but it relates to the supplementary question that he asked me. I do not have the figures to hand, I do not have the costs to hand. If he wants to know exactly how much for example the urology repatriation has cost versus how much it used to cost us to send people outside, I will be delighted to provide him with that information.

2140 But there will always be, as I am continually advised by my clinicians, services that cannot be provided in-house. Open heart surgery is the example that they most often provide me. In those cases, it makes sense to have the surgeon come to Gibraltar as a visiting consultant to provide the service. The reason why we cannot have certain specialisms in Gibraltar is because the surgeon, in order not to de-skill, has to be able to operate all of the time. Therefore, we can have a visiting surgeon come and do our operations, but then we cannot keep him because to 2145 keep him here would mean that they would actually lose their GMC registration licensing for becoming de-skilled.

2150 So it is a combination of keeping sponsored patients going to the extent that those services are best provided away from Gibraltar to repatriate all those services that are best provided in Gibraltar and, for those where we think that it is best provided in Gibraltar but we cannot provide the service, to have visiting consultants.

**Q265-266/2018**

**Children in care or with behavioural issues –  
Length of time in care; assistance for families**

**Clerk:** Question 265, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, of those children currently in care, can the Government state how long those children have been in care?

2155

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, of those children currently in care, the length of time in care ranges from six months, being the shortest period – sorry, Mr Speaker, I will answer this question together with Question 266. My apologies.

2160

**Clerk:** Question 266, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, can the Government confirm what programmes are available for families struggling to cope with children who have behavioural issues?

2165

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, my apologies for jumping the gun but sometimes it is hard not to press the buzzer when you know the answer.

2170

Mr Speaker, of those children currently in care, the length of time in care ranges from six months, being the shortest period, to nine years and six months, being the longest period.

There are currently two specific parenting programmes, aimed at supporting parents and carers to manage their children's behavioural problems. These are The Incredible Years programme and the Time Out for Parents programme.

2175

Further to this, each child known to the Children's Team will have either a Child Protection or Child in Need Plan. Within this plan, the social worker will have identified any specific programme to support families if they are struggling to cope with their children's behavioural issues. All plans will be tailor-made to meet the needs of each individual child.

2180

**Q267/2018**

**Tobacco-related offences –  
Persons detained in last 24 months**

**Clerk:** Question 267, the Hon. E J Phillips.

**Hon. E J Phillips:** Can the Government state the numbers, ages and nationality of those persons detained for tobacco and tobacco related offences in the last 24 months?

2185

**Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the number of persons detained for tobacco and tobacco-related offences in the last 24 months is in the schedule I now hand over to the hon. Gentleman.

2190

**Answer to Question 267**

RGP 01/04/2016 – 31/03/2017

Age	Number of Persons Arrested
20	1
21	1
23	1
24	3
25	1
26	3
27	4
34	1
39	2
40	1
45	1
48	1
50	1
60	1
64	1
66	1

Nationality	Number of Persons Arrested
Spanish	13
British Local	9
Portuguese	1
Moroccan	1

RGP 01/04/2017 – 08/03/2018

Age	Number of Persons Arrested
18	1
19	1
20	1
21	4
26	1
31	1
36	2
39	1
41	1

Nationality	Number of Persons Arrested
British Gibraltarian	4
Morocco	1
Spain	6
British	2

**HOUSING AND EQUALITY**

**Q268/2018**

**Charles Bruzon House –  
Policy on interior modifications by residents**

**Clerk:** Question 268, the Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, would Government reconsider its zero-tolerance policy towards any interior modifications by residents to their homes at Charles Bruzon House, particularly whether on medical grounds as to why these should be made, such as replacing shower units with a bath where the latter is more suitable for the residents?

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**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

2200 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, Charles Bruzon House is a brand-new purpose-built accommodation for the elderly which has been designed with input from occupational therapists and other professionals.

The block was completed last year so tenants moved in very recently. Flats were offered to prospective tenants on the basis that no alterations to the flats could be made and this was a condition of them accepting the flats.

2210 **Hon. T N Hammond:** Mr Speaker, that is understood. However, can the Minister see that it is possible, particularly when we look at the demographic of the residents of Charles Bruzon House, that over a period of time, a relatively short space of time potentially, their medical conditions ... they may develop medical conditions or have existing medical conditions which may become aggravated and it may therefore necessitate or be important for quality of life, that certain changes, with appropriate clinical support, be made to those residences and that having an absolute zero-tolerance policy may not be appropriate?

2215 **Hon. Miss S J Sacramento:** Mr Speaker, these flats are specifically designed for that. They have been designed with elderly people in the worst stages of their life in mind, on the advice of professionals and the design is purely on the advice of professionals, so that people may remain independent for longer.

In this case that the hon. Gentleman is referring to, someone now wants a bath instead of a shower but would completely compromise the whole ethos of this building, Mr Speaker. They are very welcome to ask for an exchange for a house that would be suitable for them with a bath. But certainly not in a brand-new building which has been designed in a particular way to accommodate elderly people in a particular way and at great expense to the taxpayer.

2225 **Hon. T N Hammond:** But, Mr Speaker, surely the Minister will accept at least that it is possible for people to develop medical conditions which may necessitate certain modifications in a property. They may become wheelchair bound and therefore need access, they may need light switches moved to lower positions. Who knows? There is a whole plethora of medical conditions that can affect ... So to have a zero-tolerance policy rather than a case by case, 'we will analyse and just see if there are medical grounds for making a change', it just seems a little bit harsh that you would ask somebody to move from their home, rather than allow them possibly out of their own expense and with appropriate approvals, to make modifications.

2235 **Hon. Miss S J Sacramento:** Mr Speaker, I still do not think the hon. Gentleman understands. These flats have been designed to accommodate people with advanced medical conditions.

Mr Speaker, the hon. Gentleman has referred to people who are wheelchair bound. In terms of people who are wheelchair users, Mr Speaker, because I do not like to refer to people who are wheelchair bound – like my hon. colleague Dr Cortes referred the hon. Gentleman to my leaflet on language etiquette and disability, I would refer the hon. Gentleman to the same document, he may find it enlightening.

2240 But these flats are already built and designed for people who may be wheelchair users. The light switches have already been designed for people who may have mobility issues. In this case, Mr Speaker, someone who was allocated this flat recently now wants a bath instead of a shower. Mr Speaker, the answer is no because it has been designed at tremendous expense for the bathrooms to accommodate people with severe disabilities and the medical advice that we have is that this is appropriate.

2245 Mr Speaker, if they did not want a shower because they particularly wanted a bath at the time when they were offered this flat very recently and which they accepted on the basis that they could make no alterations, then they could have very perfectly rejected that flat and asked



2250 for a flat which had a bath, in which case they would have been allocated a flat elsewhere with a bath, but not here, Mr Speaker.

It is not a question of us having a zero-tolerance policy, Mr Speaker. It is about us having made a great investment in time and upon the advice of professionals in the design which we are very happy with and very satisfied with, and of course, Mr Speaker, this comes at taxpayers' expense. We certainly look at this on a case by case basis and in this case, Mr Speaker, the incurring taxpayers' expense is not justified.

**Hon. T N Hammond:** Mr Speaker, I think that the Minister gave a clue as to what the policy is there and she keeps referring to some ... she is making a huge assumption in referring to a particular case. I am not referring to a particular case; I am referring to a policy in general as has been described to me.

Now if the Minister is telling me that actually they do look at cases on a case by case basis and there is scope for modifications to be made appropriately when medical conditions demand it, then I would accept that answer and I am sure that the residents of Charles Bruzon would accept that answer, because that would not then be a zero-tolerance policy.

So if that is what the Minister is saying, that there is not a zero-tolerance policy but there is scope for modification in the right conditions and on a case by case basis, I absolutely accept that answer.

**Hon. Miss S J Sacramento:** Mr Speaker, he still does not seem to listen to the answer. Mr Speaker, no-one has said that there is a zero-tolerance policy. Mr Speaker, the hon. Gentleman has invented it. We *always* try to help, we *always* look at cases on a case by case basis and we weigh it up in what is in the best interests of everybody, Mr Speaker.

I know that this arises from a particular case because there is only one case in which this application has been made. Mr Speaker, the answer is no because we have just invested a lot of money on the advice of medical professionals and in this case, this was accepted by the individuals in question very, very recently and circumstances have not changed.

Therefore, the Government has made a decision which I think and I agree is perfectly justifiable. No-one is talking about zero-tolerance policies, Mr Speaker, there is no such thing, particularly when talking about vulnerable people and elderly people. We will try to help, but we will help in the best way.

**Hon. T N Hammond:** So for absolute clarity the Minister did not refute the fact that in my question I raised the issue as a zero-tolerance policy. She basically responded – the hon. Lady, I apologise, basically responded in a manner that indicated that the premise of my question was correct.

The hon. Lady has now moved on from that position and I am very gratified that she has. She has, I believe, if she would just confirm it one more time, confirm it to me that there is scope for modification on a case by case basis; that no modifications have been applied for that have been accepted at this stage is understood and appreciated.

**Hon. Miss S J Sacramento:** Mr Speaker, we are verging on the hypothetical here, because the reality is that it is unlikely that we will be asked for modifications because of the way that these flats have been designed.

We have had the input, and I say it once again, of medical professionals to make the design the best way possible to ensure independent living for our elderly community for as long as possible. We simply do not envisage after the hours and hours that were spent by the professionals on the design of these flats that they require anything else.

**Mr Speaker:** Next question.

HEALTH, CARE AND JUSTICE

Q267/2018

Tobacco-related offences –  
Supplementary question

**Hon. E J Phillips:** Mr Speaker, I just need to go back to 267, the schedule that was handed over to me.

2305 Can the Minister just clarify the difference in the year 2016 to 2017 in relation to persons arrested and in relation to the second schedule that refers to British Local and British  
Gibraltarian and then British in the second column. I am not too sure what he means by that.  
The schedule, apologies.

2310 So insofar as the schedule that he handed over to us for those persons arrested, in the second column to the right it refers to 'British Local – 9' and the column below 'British  
Gibraltarian' and 'British' at the bottom of that. 'British Local' – what does that mean insofar as  
the reference? I assume it means British Gibraltarian but not –

**Minister for Health, Care and Justice (Hon. N F Costa):** Gibraltarian.

2315 **Hon. E J Phillips:** Okay, I am grateful, thank you.

HOUSING AND EQUALITY

Q269/2018

Rental homes –  
Plans to build more

**Clerk:** Question 269, the Hon. E J Phillips.

2320 **Hon. E J Phillips:** Mr Speaker, can the Government provide details, outline or otherwise, of its plan to build further homes for rental?

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

2325 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I refer the hon. Gentleman to my answer to Question 168/2018. Announcements will be made in due course.

**Hon. E J Phillips:** Yes, Mr Speaker, I am aware of the hon. Lady's answer to the question, but since then, of course, Action for Housing have been pressing her and there is of course understandably genuine interest as to the revelation that the hon. Lady made at the last sitting.

2330 Therefore, if the hon. Lady is willing to make another further revelation so that we can have another titbit of the plans that she intends to deal with in relation to rental building? (*Laughter and interjections*)

2335 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I think we would rather leave *bits* and all the other references the hon. Gentleman has made out of the debate, and we will make an announcement as a Government when we are ready to do so.

**Q270/2018**  
**Varyl Begg Estate flats –**  
**Damp issues**

**Clerk:** Question 270, the Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Can Government indicate to the House whether it is aware of damp issues within flats in Varyl Begg Estate, and how it puts them right if/when alerted to them, such as the average turnaround time to cure such issues?  
2340

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, the Housing Department is aware that there are reports of damp in Varyl Begg Estate in the same way that there will be in all the other housing estates.  
2345

Reports of damp are processed by the Housing Department when such complaints are reported, with a target date of three months for completion.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I was asked to visit one particular flat which has been suffering from damp issues which just keep getting worse and worse, for years. Basically, they seem to be tired of calling the Housing Department. That is why I wanted to find out the typical turnaround times in case it was a standard that it would take this long.  
2350

So in light of what the Minister has just said, would she be happy to prioritise this house because these people are elderly and they have respiratory issues as a result? Would they be happy to prioritise this matter and treat this particular flat as soon as possible?  
2355

**Hon. Miss S J Sacramento:** Mr Speaker, if the hon. Lady genuinely wanted us to expedite this matter, which obviously sounds serious, then all the hon. Lady had to do as she does on other matters on other occasions, is to pick up the phone, call me, give me the name and the address and I would have looked into it immediately.  
2360

The Housing Department of course receives hundreds, sometimes thousands of complaints in relation to works. Some are major works, some are minor works but the volume is tremendous. It may well be that as a result of human error, this may well have slipped the net. So I will ask the hon. Lady to confidentially give me the name and the address and I will of course look into it.  
2365

But, Mr Speaker, genuinely if we hear, if something comes to someone's attention which is serious, then is it really, Mr Speaker, a matter for a Parliament question and not really a matter for someone to be practical, pick up the phone and we will help, without the need of parliamentary business time?  
2370

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I appreciate the Minister's answer and also her willingness to get this matter on track. And I do agree that there are some matters that I have called her on and she has assisted, but then there are several other emails that I have sent over the last year that I am still waiting for a reply, and I thought that this was worthy of flagging up in order to capture her attention and ensure that this issue got sorted out as soon as possible.  
2375

**Q271/2018**  
**Government flats –**  
**Details of sales since 2011**

**Clerk:** Question 271, the Hon. L F Llamas.

2380 **Hon. L F Llamas:** Mr Speaker, since 2011 with reference to Bayview Terraces, Cumberland Terraces, Nelson's View, Beach View Terraces and Mons Calpe Mews, can the Government give a breakdown of sales details for each, as follows: (a) how many flats have been sold with 100% financing from the purchaser; (b) how many have been sold with 50/50 ratio; and (c) how many have been sold at any other ratio and specify what that ratio is?

2385 **Clerk:** Answer, the Hon. the Minister for Housing and Equality.

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I refer the hon. Gentleman to my answer in Parliament to Question 188/2017.

2390 **Hon. L F Llamas:** Mr Speaker, the Hon. Minister provided an answer that this is a public document and suggested that the Opposition spend £12,000 in reaching an answer.

Mr Speaker, I would like to refer back to Question 943/2011 where the Opposition then, the Government today, asked the same question and got a very detailed answer by the Government back then.

2395 Is this the time for change that was promised?

**Hon. Miss S J Sacramento:** Mr Speaker, this is the same question that he has asked me orally as well in the past and at no point, Mr Speaker, was this raised on the last occasion when I answered in the same way.

2400 Mr Speaker, I am taking the same position that we have taken in relation to when the hon. Members on the opposite side asked for information that may well be available at Companies House, by undertaking a company search. This is the exact same thing, Mr Speaker. It is information that is available publicly.

2405 In any event, Mr Speaker, in relation to the Bayview, Cumberland and Nelson's, in any event, Mr Speaker, if the hon. Gentleman may recall, I know he is not part of the GSD now, but he was part of the GSD when he stood for election and these are all estates that were sold by the GSD and not by this Government, Mr Speaker.

2410 **Hon. L F Llamas:** Mr Speaker, that is beside the point. The point is that back in 2011 the level of transparency given back then was a lot higher and what we are receiving now is a direction from the Hon. Minister to go to Land Property Services and conduct a search at £12,000 in order to obtain an answer which should be given in this House.

2415 And, Mr Speaker, the fact that Bayview, Cumberland and Nelson's were sold by the previous administration, there are properties within those estates which were even sold by this administration. Therefore, will the Government provide the answer that I have asked for on two occasions in this House?

And the fact is that this question I happened to come across whilst researching what they were given by the previous administration whilst they were in Opposition.

2420 **Hon. Miss S J Sacramento:** Mr Speaker, it is not information ... I do not think, Mr Speaker, that it is something that would cost that amount. Had I been aware, Mr Speaker – (*Interjection*) Mr Speaker, I was not aware that something like this would cost in that region. But, Mr Speaker, bearing in mind that more than 50% of the question that I am being asked relates to housing

estates that were built and sold by the GSD, so that is before my time. But nevertheless, it is still information that is publicly available.

2425 The other point that I make, Mr Speaker, is that this point could clearly have been made orally on the last occasion. What we are having is the extension of what could have been on the last occasion more properly a supplementary and we could have had this debate on the last occasion. But perhaps the hon. Gentleman opposite needed more time to formulate this, Mr Speaker.

2430 I think that perhaps given time I am happy to prepare a schedule of this information, Mr Speaker. I do not think it is necessarily appropriate that I am accountable to this House to give information that relates to estates that were built and sold by the GSD. Mr Speaker, I have to ask staff to undertake this exercise thoroughly. Clearly it will relate to sales of properties that were sold post-2011, not pre-2011 and, Mr Speaker, I am happy to provide that information and  
2435 I will see if I can get somebody to provide that.

Certainly, that information would not have been available on this occasion, but given more time, Mr Speaker, perhaps by the next parliamentary session I will ensure that I have that information up to date – but certainly, Mr Speaker, in relation to sales which we have undertaken since we have been in Government. *(Interjections)*

2440 Yes, but the majority, Mr Speaker, of the sales of certainly the first three estates would have taken place before 2011 because they were developments that were developed by the GSD, Mr Speaker.

**Mr Speaker:** The Hon. Edwin Reyes.

2445

**Hon. E J Reyes:** May I, Mr Speaker, since the Minister has committed herself now to providing some information to avoid my supplementary coming later on: yes, I agree with the Minister that the majority of the houses referring to Bayview, Cumberland, Nelson's and so on would have taken place prior to 2011; but there have been transactions in respect of those  
2450 houses post-December 2011 and I certainly would be interested in that information. Because a tenant who bought a home, a purchaser who bought originally prior to December 2011 has the option and may have bought further shares later on.

So that information would probably come up in my supplementaries, if I give the Minister advance warning, when she gets her clerks to undertake this onerous task, then they know  
2455 which direction I am going to be heading in my supplementaries as well.

**Hon. Miss S J Sacramento:** Mr Speaker, that is information that can be derived but I suspect that that is a huge exercise and is very, very unlikely to be ready by the next sitting of this Parliament. We are looking at all transactions of these affordable housing since 2011. Some  
2460 premises may have changed ownership more than once, we are talking about a substantial volume of ownership.

I will look into it, Mr Speaker, but I think it is an exercise that would be quite onerous and quite unlikely to be ready in a month.

2465 **Hon. E J Reyes:** I will add further, Mr Speaker, it may or may not help the Minister when she embarks on this exercise, I remember Dr Garcia used to ask questions when he was on the Opposition benches and he received an answer which satisfied him at the time and I think that would probably satisfy at least me.

Through the Land Sales Registry he can then from there devise, say, in respect of flats at  
2470 Cumberland Terraces and it is easier to get it that way, rather than searching each individual property, so the ledger of the transactions on sales.

**TOURISM, EMPLOYMENT, COMMERCIAL AVIATION AND THE PORT**

**Q286/2018**

**Ocean Spa Plaza scaffolding collapse –  
Health and safety investigation**

**Clerk:** We now move to Question 286, and the questioner is the Hon. T N Hammond.

2475 **Hon. T N Hammond:** Mr Speaker, has a health and safety investigation been carried out of the recent scaffolding collapse at Ocean Spa Plaza and what were the results of that investigation? Were any recommendations made to avoid future occurrences and what were those recommendations?

2480 **Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, the Health and Safety Inspectorate has investigated the recent scaffolding collapse at Ocean Spa Plaza.

2485 As part of the investigation, the materials used were tested and found to conform to the relevant specifications. Only the east elevation of the façade was affected. The west elevation remained in-tact.

2490 The determining factor on the collapse was the swirling channelled effect of the winds which at times reached speeds of 117 kilometres per hour. The Health and Safety Inspectorate recommended the doubling of securing eyebolts holding the scaffolding in place, as well as the connecting of the scaffold modules all the way to the top and back to back with steel ties and the avoidance of continuous non-perforated material along the perimeter of the site.

2495 I am informed, Mr Speaker, that the recommendations have been accepted and the works carried out to the satisfaction of the Health and Safety Inspectorate.

**Hon. T N Hammond:** I very much thank the Minister and the Health and Safety Inspectorate for having conducted that investigation speedily and actually come up with some very solid recommendations.

2500 Will those recommendations now be taken forward to other potential sites which may be in a similar area or suffer similar wind conditions to ensure that perhaps we would not be affected in the same way or that future sites may not be affected in the same way, or will those recommendations only be applied to this particular development?

2505 **Hon. G H Licudi:** Mr Speaker, the issue was specific to this particular site. There are of course regular inspections by the Health and Safety Inspectors in all the sites around Gibraltar. That is part of their job, it is part of what they do.

2510 In this particular case, what happened was that a non-perforated sheeting, white sheeting had been used by the company that put up the scaffolding and that is what trapped the wind and because of the swirling effect of the wind at very high speed, that is what caused the collapse of the scaffolding, even though the scaffolding itself had complied with all necessary health and safety measures.

2515 So it was not that there was any fault or problem in the erection of the scaffolding or the fixing of the scaffolding, but the combined effect of the winds with the non-perforated sheeting. The recommendation obviously was to remove the non-perforated sheeting and to replace it with a perforated sheeting.

I would say that the purpose of the sheeting is really for dust control in respect of the area. A non-perforated sheeting has greater effect in terms of dust control, but has the problem of

trapping the wind and causing this. So whilst the perforated sheeting will allow the wind through, it is less effective in controlling the dust from the works going into other areas.

2520 So clearly the compromise that has to be reached is that a sheeting has to be used which has some perforation, which does allow the wind to go through but which does also conform with the requirements in terms of dust control. That is the balance that has to be struck.

In this particular case, the company opted for more dust control without anticipating that this would be the effect, but that has now been corrected.

2525

**Hon. T N Hammond:** And, Mr Speaker, I think that the Minister has pointed out what most of us had guessed, that the sheeting was certainly a significant factor in that particular collapse. But he has also referred to other recommendations like the doubling of the number of eyebolts in the scaffolding and as I say, I just wonder if in other developments in that area – because we are likely to see future developments in that area, I am assuming – it wouldn't be worth applying those same standards of doubling the eye bolts, taking the lessons learned from this particular collapse and, through the planning process perhaps, just ensure that we do not experience anything similar or at least reduce the chance of anything similar occurring in the future.

2530

**Hon. G H Licudi:** Mr Speaker, the hon. Member mentions that I indicated that the principle factor was the sheeting; in fact it was the determining factor. As I indicated earlier, the way that the scaffolding had been put up and the eyebolts which had been put in place to secure the scaffolding conformed to all health and safety standards. So that in itself was not the problem.

2535

Certainly the Health and Safety Inspectors will be very astute as to problems with wind and they will want to ensure that this is not repeated in other sites. They will be, or they have been, carrying out inspections to make sure that the eyebolts properly secure the scaffolding. But in this particular case, the problem was not the eyebolts; the problem was the sheeting that was used and that has now been replaced.

2540

**Hon. D A Feetham:** Mr Speaker, I did some research in relation to this for other reasons, not specifically because of this site, and I know the problem was the actual sheeting that effectively acted as a type of sail, so with the wind, acting as a sail, it just dragged the scaffolding over.

2545

But this type of sheeting is designed, the way that it is connected to the scaffolding is through rope connections that are designed to effectively disengage when there are strong winds and it appears that in this case, my information is that in this case, what happened was that it was tied very strongly on a permanent basis and when the sheet actually caught the wind it just could not release.

2550

Now, is that something that the hon. Gentleman has in the information that has been provided to him, because that is what I have been told was the problem in this particular case?

2555

**Hon. G H Licudi:** Mr Speaker, I cannot see anything just looking at and trying to address the issue that the hon. Member has mentioned. In the information I have been provided, I cannot see anything which mentions specifically these particular methods of tying which are supposed to release, but I am happy to look at it and get back to the hon. Member.

2560

**Mr Speaker:** Next question.

**Q287/2018**

**Waterport Place falling metal sheet –  
Health and safety investigation**

**Clerk:** Question 287, the Hon. T N Hammond.

2565 **Hon. T N Hammond:** Does Government intend to carry out a health and safety investigation of the recent incident where a sheet of metal fell from Waterport Place?

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

2570 **Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, a health and safety investigation of the recent incident has in fact been opened by the Health and Safety Inspectorate, so they are investigating the issue.

2575

**Q288/2018**

**Visitor expenditure–  
Monthly figures for 2017**

**Clerk:** Question 288, the Hon. T N Hammond.

2580 **Hon. T N Hammond:** Can Government provide the total visitor expenditure figures, by month, for July to December 2017.

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

2585 **Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, the tourist expenditure figures for the whole of 2017 are currently being compiled by the Government Statistics Office and are therefore not available. They are being compiled for the whole of the year of 2017.

2590 The latest tourist expenditure figures are included in the Tourist Survey Report 2016 which is available on the Government website. Tourist expenditure estimates are not compiled by month. They are calculated as the total sum of the expenditure from six categories of visitors: visitor arrivals at hotels; excursionists from cruises; visitors on yachts; visitors in supplementary accommodation; in-transit visitors; and excursionists from Spain. Monthly expenditure figures are therefore not available.

**Q289-290/2018**

**University of Gibraltar Act 2015 –  
General borrowing; land mortgage**

2595 **Clerk:** Question 289, the Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government please advise if it has given any approval for general borrowing under section 37 of the University of Gibraltar Act 2015 and if so, for what amount and purpose?



2600 **Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, I shall answer this question with 290/2018.

2605

**Clerk:** Question 290, the Hon. R M Clinton.

2610 **Hon. R M Clinton:** Mr Speaker, can the Government please advise if it has given any approval for the University to mortgage any of its land under section 40(2) of the University of Gibraltar Act 2015 and if so, for what amount and purpose?

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

2615 **Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, the Government has not given approval for any general borrowing under section 37 or for the university to mortgage any of its land under section 40(2) of the University of Gibraltar Act 2015, as no request has been made by the University for either purpose.

#### ADJOURNMENT

2620 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I move that the House should now adjourn until Monday at 3 p.m. in the afternoon.

2625 **Mr Speaker:** Before we do, I recall that the Chief Minister and I were discussing the question of the requirement about the Estimates of Expenditure as I had indicated. Has he been able to review the matter now or he can do it between now and Monday?

**Hon. Chief Minister:** Mr Speaker, I have had a preliminary look but I want to check two other sources for my recollection so that I can put something to you and to the Clerk which is properly researched and also the understanding of others in my office. So I will do that in time for Monday.

2630

**Mr Speaker:** Right, the House will therefore adjourn until Monday, 26th March at three in the afternoon.

*The House adjourned at 6.40 p.m.*